***Mid-Term Evaluation***

***of the***

**Joint Programme on**

**Promoting Access to Justice, Human Rights and Peace Consolidation (A2J JP)**

(July 2013 – September 2015)

***Final Version***

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by Dr. Craig Naumann

(Independent Evaluation/Research Expert)

Contact: ccnaumann@yahoo.com

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Signature of Consultant: Dr Craig NAUMANN

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**List of Acronyms**

A2J – Access to Justice

A2J JP - Joint Programme on Promoting Access to Justice, Human Rights and Peace Consolidation

AWP – Annual Work Plan

BOS – Business Operations Strategy

BPR – Business Process Review

CDR – Combined Delivery Report

CEDAW – Convention on the Elimination of all Forms of Discrimination against Women

CIP – Chief Inspector Police

CPC – Community Policing Committee

(C)CPD – (Common) Country Programme Document

CSO – Civil society organization

DHS – Demographic and Health Survey

DaO – Delivering as One

DP – Development Partner

DRG – Development Results Group

DRT-F – Delivering Results Together Fund

EDPRS – Economic Development and Poverty Reduction Strategy

GBV – Gender-based violence

GoR – Government of Rwanda

IC – International Consultant (= the hired evaluation expert carrying out the Mid Term Evaluation)

IECMS – Integrated Electronic Case Management System

IP – Implementing partner

JP – Joint Programme

JGA – Joint Governance Assessment

JRLOS –Justice, Reconciliation, Rule of Law & Order Sector

JSC – Joint Steering Committee

JS – Justice Sector

KAP-B – Knowledge, attitude, practices and behavior (qualitative dimensions of data, survey and indicator designs)

LAF – Legal Aid Forum

MAJ – Maisons d’Accès à la Justice (Access to Justice Bureaux)

MDGs– Millennium Development Goals

MINECOFIN – Ministry of Finance and Economic Planning

MINIJUST – Ministry of Justice

M&E – Monitoring and Evaluation

MoU – Memorandum of Understanding

MoV – Means of Verification

MSC – Most significant changes

MSU – Management Support Unit

MTR – Mid-term review

NCHR - National Commission for Human Rights

NGO – Non-governmental organization

NIDA - National Identification Agency

NISR – National Institute of Statistics of Rwanda

NPPA – National Public Prosecution Authority

NURC - National Unity and Reconciliation Commission

OECD-DAC – Organisation for Economic Cooperation and Development – Development Assistance Committee

OHCHR – Office of the High Commissioner for Human Rights

ProDoc – Programme Document

PUNO – Participating United Nations Organisation

RC/RR – Resident Coordinator/Resident Representative

RBM – Results-Based Management

RGS – Rwanda Governance Scorecard

RNP – Rwanda National Police

ROAR– Results Oriented Annual Report

RRB – Rwanda Reconciliation Barometer

RRF – Results and resources framework

RwF– Rwandan Francs

SDGs – Sustainable Development Goals

SGBV – Sexual and gender-based violence

SOPs – Standard Operating Procedures (here: in DaO context)

ToC – Theory of Change

ToR – Terms of Reference

UN – United Nations

UNDAF – United Nations Development Assistance Framework

UNDAP – United Nations Development Assistance Plan

UNDP – United Nations Development Programme

UNEG – United Nations Evaluation Group

UNICEF – United Nations Children’s Fund

UN Women – United Nations Entity for Gender Equality and the Empowerment of Women

UPR – Universal Periodic Review

VAW – Violence against Women

WP – Work Plan

**EXECUTIVE SUMMARY**

*Overview of evaluation object*

The A2J Joint Programme (JP) is one of five joint programmes under the One UN’s Governance Result Group “DRG2” of the One UN Rwanda. It presently consists of five JP Outputs that are related to systemic strengthening of capacities and skills, at the levels of policies, procedures, tools and mechanisms across the various sub-systems within the justice sector. Specifically, the JP Outputs are: 1) Strengthened Capacity of the Justice Sector (JRLO) to increase access to justice, including for women, children, and the most vulnerable; 2) Enhanced national capacities for the promotion and mainstreaming of human rights and implementing treaty body and UPR recommendations; Output 3) Fundamental rights of children promoted through birth registration; 4) Enhanced mechanisms for sustainable peace consolidation, unity and reconciliation; and Output 5) Project management and oversight functions enhanced. By September 2015, the A2J JP had been effectively implemented for a period of almost two full years. It had thus become eligible for its mandatory independent mid-term evaluation. The present report marks the end of the in-country phase of said evaluation. The mid-term evaluation covers the 24-month period from September 2013 to September 2015. For the 5-year programme duration (01 July 2013 until 30 June 2018), the ProDoc projected contributions by the various stakeholders including in-kind support by GoR, US$ 5,202,295 of UNDP core resources, US$ 330,000 from UN Women, US$ 100,000 from OHCHR, UNICEF providing US$ 712,500, US$ 4,000,000 through the One Fund, and an unfunded component of US$ 2,771,715.

*Evaluation objectives and intended audience*

The evaluation assesses the A2J JP’s performance against planned results and identifies preliminary indications of potential impact and sustainability of results including the contribution to capacity development and achievement of sustainable development goals. The evaluation critically discussesthe design, scope, implementation status and existing overall capacity to achieve expected outcomes. It is built around the “classic” UNEG evaluation criteria of relevance, effectiveness, efficiency, impact, and sustainability; as well as the added criterion of (initial) signs for (potential) early impact of the JP’s interventions. This is not an end-of-programme cycle, or “summative” evaluation. Rather, it is formative since the remaining 2nd half of the programme implementation cycle is expected to benefit from the critique and related recommendations.Thisreport shall inform key stakeholders including the Ministry of Justice (MINIJUST), the National Commission for Human Rights (NCHR), the National Unity and Reconciliation Commission (NURC) and the Rwanda National Police (RNP), and participating UN agencies (UNDP, UN Women, OHCHR and UNICEF).

*Evaluation methodology*

The methods applied comprised qualitative and quantitative data techniques. Data triangulation was a key technique used throughout the data collection phase and for the purpose of final analysis following conclusion of the interviews. Another important feature of the data analysis was to analyze qualitative performance data in light of available funding and to also include limitations inherent in the design of the results framework which in itself thwarted some potential synergies from being realized. The actual data collection was carried out during the 2nd and 3rd week of Nov. 2015. All A2J IPs were interviewed and thus given the opportunity to openly share their views and comments about the quality of the design, management, operational issues etc. On the UN side, all implementing PUNOs/UN agencies were met with. Major limitations the mission faced hinged on budgetary constraints resulting in limited resources available. For instance, there was no time to visit several community level committees or abunzi hearings, and conduct related mini-perception surveys among the village population.

*Findings and conclusions*

Regarding early indications for, or evidence of potential early impact, there are already some solid stalwart success stories; namely the training support provided to the successful mechanism of “abunzi” mediators and the MAJ/one-stop-center mechanism (JP Output 1), building human rights-related capacities in terms of enabling related tracking and implementation mechanisms, as well as training key justice sector staff’s on related knowledge (JP Outputs 1 & 2). The community policing approach (CPC) is another candidate under this category; with the reservation that due to time constraints the mission did not have the opportunity to ascertain the effect of these committees on the ground by also ascertaining the end beneficiaries’—i.e. the simple citizens’/community dwellers’—perception and appreciation of the CPC. The Integrated Electronic Case Management System (IECMS) certainly has the potential to blossom into a success story. However, this remains to be seen especially in view of its inherent risks.

In terms of the A2J’s overall relevance the JP’s activities were designed to promote access to justice especially for women and (other) vulnerable groups of society, while also supporting national unity and reconciliation and supporting the human rights agenda at a national scale. Overall, the JP outcomes and related outputs are stringently aligned with the national priorities and programming cycle of the Government’s EDPRS2 as well as the UN Development Assistance Plan which is itself supportive and fully aligned with the EDPRS2. Principles of gender equality, social inclusion and human rights are the backbones of the output structure’s design, including access to justice including support to indigents and MAJ/anti-SGBV one-stop centres (JP Output 1) and the promotion of the human rights agenda (JP Output 2). The applied method of capacity building and strategic upstream support was in general well adapted to the given development context in Rwanda.

The JP’s effectiveness has been somewhat affected by the substantial gap between the initially foreseen budget and the monies actually available for being spent (or “absorbed”). However, in spite of significantly reduced resources the key performance indicators at output level reflect very decent progress with the notable exception of JP Output 3 (child registration). Output 2 which focuses on building UPR and international treaty reporting and implementation capacity deserves the status of a genuine “success story”; since not only is the principle of human rights mainstreaming pushed to its limit, here, but final targets foreseen for 2018 have already been surpassed to quite some extent.

With regard to the JP’s efficiency actual spending against the ProDoc’s budget provisions stands at 51% for the first two years since the formal start (as opposed to the actual start of implementation, which suffered some delays). Non-adjusted net absorption rates, i.e. expenditure versus beginning-of-year draft IP workplans, show quite some discrepancies between the first year and the following periods. The relatively poor absorption rate of 52% in Year 1 (starting in July 2013 and ending in June 2014, in line with the GoR’s fiscal year cycle) was due to administrative delays which effectively kept the JP roll-out in the starting blocks for almost half a year before implementation could start. In this context, it should also be noted that the IP WPs for year 1 of the JP (July 2013-June 2014) only amounted to a consolidated 54% against the originally foreseen budget as per the ProDoc. Importantly, no One Fund resources existed in the1st year which was echoed in the drastical downward revision of the yearly work plan. However, absorption rates as of the 2nd year outpaced budgetary provisions as reflected in the work plans, since July 2014: 101% for year 2 and 119% for the 1st quarter of the 3rd year. The total average absorption of work plan budgets from July 2014-June 2015 stands at 79% which includes the first half year of effective non-spending.

There is evidence on the IP’s and the UN’s willingness and their ability to learn from identified weaknesses and address inefficiencies building on lessons learned from analyzing qualitative monitoring data on bottlenecks encountered etc. In view of the alignment with the national development strategy and planning cycle, along with its inbuilt focus on building requisite upstream management capacities (systems, structures, staff, etc.) the chances for the JP results’ sustainability must be rated as high given that the overall focus of the JP on capacity building implies that in-service training-based activities will have a good foundation to continue in the future even potentially without UN support. A major concern is whether the added responsibilities and scope of work of the abunzi mechanisms might not result in negative impacts such as reduced speed of rendering decisions, a build-up of back-log, over-worked personnel with detrimental effects on the quality of the work and/or well-being and health of the abunzi members possibly leading to staff attrition etc.

*Main recommendations*

1. Shift Output 3 from A2J JP to UNDAP’s thematic area of Human Development;
2. Carry out a comprehensive study on how various modifications in policy and regulations will affect the workload on the *abunzi*, gauge possible impacts on quality of decisions, degree of satisfaction among *abunzi* members with their work, drop-out rates and possible additional incentives including honorific titles, medals, legal study opportunities etc.;
3. Revisit the type and extent of collaboration with JRLOS DPs to achieve the JP’s objectives specifically in terms of maximizing synergies in knowledge management and monitoring; e.g., through joint monitoring field mission, brainstorming roundtables with financial/technical support of donors (e.g. NUFFIC/Dutch Embassy) to discuss technical issues (such as link-up of government databases with IECMS and, for purposes of checks-and-balances, introducing an autonomous data protection entity including a potential watchdog/ombudsman function for CSOs);
4. JS entities to be consulted in order to map out interfaces and overlap to identify potential synergies and duplication of efforts in terms of applied legal research initiatives and design related integrated research/academic exchange plan to be submitted to potential donors;
5. Revise JP organigramme and offer DPs as well as CSOs observer status with right to provide comments;
6. Consider moving genocide-related activities (Prosecution, Fugitive Tracking Unit) under Output 1 to Output 4’s NURC activities; consult with various stakeholders concerned; even if no merger under a common JP output (no. 4) coordinate/facilitate discussion between GoR stakeholders about conceiving and implementing genocide-related research and/or a related international conference;
7. Strengthen A2J JP’s crime prevention impact under Output 4 by adding pro-active anti-crime sensitization activities to CPC via related capacity building module through upgrading skills of existing cascade trainer pool at village level; and design/develop related training materials;
8. Consider setting up new stand-alone Output with focus on crime prevention (“Crime prevention and mitigation”) and link to activities with focus on prevention/mitigation rather than “ex post” centered activities (prosecution etc.) under current JP Output 1;
9. Follow-up with RNP to check consistency and viability of revised CPC training cascade; check budget for related cascade training model;
10. UNDP, NCHR, OHCHR and RNP to convene special coordination meeting in order to design scale-up strategy for human rights training and related staffing and funding needs.
11. **Introduction**

In September 2013, the One UN in Rwanda signed a Joint Programme (JP) on Promoting Access to Justice, Human Rights and Peace Consolidation (A2J). The purpose of the A2J JP is to strengthen the capacities of key national institutions to promote access to justice, human rights and peace consolidation.The A2J joint programme has the following UN partners: UNDP, UNICEF, UNWOMEN and OHCHR. Its Implementing Partners are: a.the Ministry of Justice (MINIJUST), which implements activities related to access to justice and human rights protection; b. the National Commission for Human Rights (NCHR) in charge of promoting and overseeing the implementation of human rights principles in laws, policies and activities; c. the National Unity and Reconciliation Commission, which promotes unity and reconciliation among Rwandans; and d. the Rwanda National Police (RNP), which implements activities related to crime prevention through implementation of community policing concepts.

In line with the accountable governance priorities formulated in the EDPRS 2 and UNDAP as well as the Justice, Reconciliation, Law & Order Sector (JRLOS) strategic Plan2013-2018, the programme was designed to specifically contribute to the achievement of Result 2, Outcome 2 of the UNDAP which is “Human rights, justice, and gender equality promoted and implemented at all levels”. The strategic focus of the A2J JP is built upon progress made in the fields of governance, peace building/transitional justice and human rights during preceding programme cycles. The CCPD had noted that through the UN’s previous support to justice sector reforms and thanks to the introduction of the sector-wide approach, significant improvement had been registered in terms of national reconciliation, rule of law and good governance in general. E.g., support to the home-grown grassroots initiative of the *gacaca* courts was reported to have resulted in over 1.5 million cases related to the 1994 genocide being successfully processed, in addition providing valuable lessons for future transitional justice programmes. Furthermore, in terms of support to the human rights agenda, support to ratification and/or reporting on related conventions, treaties, laws etc. had been provided (e.g., CEDAW, the UPR).

Based on these lessons learned from EDPRS1 and the review of the predecessor UN programmes, a particular focus was given to the issue of capacity building targeting key institutions at central and local level; the underlying logic and ultimate aim being to improve service delivery in the justice sector and the promotion of human rights principles. Related activities included capacity building support for, inter alia, the “Maisons d’Accès à la Justice” (MAJ) in all 30 districts of the country, and the “Abunzi” community mediators.—Overall, the underlying theory of change for capacity building support through the A2J JP maintains that strengthening the capacity of service providing institutions and their respective staff will result in improved services to the ultimate A2J JP beneficiaries, namely the Rwandan citizens at community level. Other than UNDP core resources, the A2J joint programme was supposed to be financed through multiple sources of funds.

Apart from in-kind contributions by the GoR, as per the ProDoc’s provisions, the budget was meant to include core fund resources from UN agencies, and resources from the “One UN Fund” pooled fund mechanism with UNDP as its Managing Agent. The One Fund monies were to be partly managed via pooled funding with the remainder being funneled through parallel funding, by UNICEF. For the 5-year programme duration (01 July 2013-30 June 2018), the ProDoc projected contributions by the various stakeholders including in-kind support by GoR, US$ 5,202,295 of UNDP core resources, US$ 330,000 from UN Women, US$ 100,000 from OHCHR, UNICEF providing US$ 712,500, US$ 4,000,000 through the One Fund, and an unfunded component of US$ 2,771,715.

In total, the budget planned for in the A2J JP ProDoc was US$ 13,116,510 out of which US$ 10,344,795 (almost 79%) were declared as being effectively secured and thus available funding. UNICEF’s parallel funding component amounted to some 5.4% of the entire estimated budget, or roughly 6.9% of the budget component declared as secured. However, in reality, there were massive budget reductions through the complete absence of One Fund monies throughout year 1(starting in July 2013 and ending in June 2014, in line with the GoR’s fiscal year cycle). The subsequent contribution to the Rwanda One Fund from the “Delivering Results Together Fund” (DRT-F) only ensured partial coverage of the initial related One Fund budget component, as of year 2 of the implementation cycle. Moreover, apart from UNDP, so far none of the other UN agencies delivered on their commitment of providing budget support to the JP beyond in-kind contributions.

The A2J JP was designed around three strategic concerns: (1) access to justice with special focus on the most vulnerable groups, including women and children; (2) human rights; and (3) peace consolidation. These strategic areas were molded into five JP outputs, namely: Output 1: Strengthened Capacity of the Justice Sector (JRLO) to increase access to justice, including for women, children, and the most vulnerable; Output 2: Enhanced national capacities for the promotion, mainstreaming human rights and implementing treaty body and UPR recommendations; Output 3: Fundamental rights of children promoted through birth registration; Output 4: Enhanced mechanisms for sustainable peace consolidation, unity and reconciliation; and Output 5: Project management and oversight functions enhanced. With the exception of Output 3 for which a valid explanation of massive delays encountered was put forward by the responsible PUNO and the JP’s managers, all Outputs achieved at least acceptable results against their pre-defined performance indicators and targets.

The initial section of this report is mainly structured around a review of the administrative set-up and managerial arrangements of the JP. This first technical part is followed by a detailed discussion of the core evaluation dimensions of (early) impact, relevance, effectiveness, efficiency, sustainability, and an array of cross-cutting dimensions including gender and social inclusiveness. In the final analytical section of this evaluation report, the conclusions including lessons learned and recommendations are presented, resuming the evidence-based discussion of findings leading towards the conclusions. Hence, the MTR’s findings will be based on (a) the results of the desk review of existing documentation available, and (b) the interviews conducted with all the stakeholder categories.

**2. Purpose, Objectives and Scope**

*Purpose and Objectives*

The mid-term evaluation covers the first two years (more precisely, the first 27 months; 07/2013-09/2015) of the A2J JP’s 5-year life span. The midterm evaluation is forward looking and, as such, distilled lessons learned, best practices and recommendations for the remaining implementation period of the JP. The evaluation provides information on the nature, extent and where possible, the potential impact and sustainability of the A2J joint programme based on a thorough assessment of the programme’s design, scope, implementation status and its capacity to achieve the expected outcomes.

Other than looking at lessons learned, the evaluation also serves the purpose of identifying challenges faced and suggest ways for overcoming these bottlenecks. Likewise, the best practices obtained during the implementation period are supposed to inform the second phase of implementation (end 2015 until mid-2018) of the joint programme.

The emphasis on lessons learned addresses the need for evidence-based analysis leading to an understanding of what has and what has not worked in terms of intervention strategy, design of activities, planned implementation sequences, the selection of IPs, the pertinence of indicators to track the progress of implementation and general performance of activities and JP Outputs etc. These lessons are then meant to serve as a guide for future planning and making necessary adjustments to the JP design.

The evaluation assesses the performance of the programme against planned results and identifies preliminary indications of potential impact and sustainability of results including the contribution to capacity development and achievement of sustainable development goals. The findings and recommendations of the evaluations shall inform the key stakeholders of this evaluation, namely the Ministry of Justice (MINIJUST), the National Commission for Human Rights (NCHR), the National Unity and Reconciliation Commission (NURC) and the Rwanda National Police (RNP), and the participating UN agencies which are UNDP, UN Women, OHCHR and UNICEF.

*Scope*

Overall, the UNEG evaluation criteria of relevance, effectiveness, efficiency, sustainability and early impact are analyzed. In addition, cross-cutting and overarching issues (Gender, RBM, DaO etc.) were also looked at.

The A2J mid-term programme evaluation reviews the effectiveness of the joint programme’s implementation strategy. This includes the implementation modalities and co-financing by One UN sister agencies, One UN Fund and the Government of Rwanda. It also looks at issues of coordination, partnership arrangements, institutional strengthening, beneficiary participation, replication and sustainability of the programme.

The evaluation includes a review of the project design, and assumptions made at the beginning of the programme development process. It evaluates whether the programme results are on track; capacities have been built in line with initial expectations, and addresses other cross cutting issues including gender and human rights. Moreover, it checks whether the programme’s implementation strategy has met expectations and worked as foreseen, and recommends areas for improvement and learning.

The linkage of the A2J JP results framework to the overall UNDAP results framework as well as the relevance of the indicator set is looked at; and related recommendations on how identified issues could be rectified or addressed are submitted in the form of observations, comments and recommendations.

With regards to the original evaluation scope, challenges encountered were mainly due to limited availability and/or access to (potentially existing) detailed financial data; and the lack of resources (time, support in terms of manpower etc.) which obliged the consultant to concentrate on the absolutely essential to meet minimum requirements in terms of quality and scope of the analysis.

For instance, had there been more time, there would have been more than one visit of an abunzi court session and one meeting with Community Policing committee (CPC) members. The mission would have preferred to visit additional abunzi courts and CPCs in the provinces to widen the sample and would have liked to discuss with village members about the utility and their perception of the CPC and abunzi mechanisms. In addition, at least half a day would have been dedicated to visiting the MAJ which was not possible given the lack of time.

Another potential “blind spot” of this evaluation is therefore that for a few analyses that the mission would have liked to run, data was incomplete or missing. It should also be noted that the very short time frame would have not allowed for in-depth analysis of all parameters even if all desired data would have been available. Nevertheless, it is felt that a decent and altogether satisfactory degree of analytical depth has been reached in the present evaluation report.

**3. Methodology**

The midterm evaluation of the A2J Programme was carried out in accordance with UNEG Evaluation Norms and Standards of Evaluation and Ethical Standards as well as OECD/DAC evaluation principles and guidelines and fully compliant with the DAC Evaluation Quality Standards (2006).

The mid-term evaluation of the A2J Programme consulted with relevant stakeholders including the UN, the GoR institutions, CSOs as well as development partners. Briefing and debriefing sessions with One UN and the Government officials, as well as with development partners were carried out.

The methodology utilized to evaluate the A2J Programme comprised of quantitative and qualitative data collected through desk review, field level data collection, key informant interviews, focus group discussions as well as formal and informal discussions with UN and IP staff including management and technical staff.

In order to use existing sources/information and avoid duplication, data was collected from various information sources through a continuous comprehensive desk review that included the analysis of relevant documents, information, data/statistics, triangulation of different studies etc. Data was also collected from stakeholder key informants through interviews, discussions and other formal and informal consultative processes.

The literature review of relevant documents looked at GoR programmatic documents and reports, the body of reports on One UN Rwanda, recent studies and research reports, developmental and social reports. Attempts were made to disaggregate data (by sex, age and location) wherever possible.

Thus, it critically analyzes available data with regards to the national guiding documents as well as the intended UN inputs to the GoR national goals. Data for a DaO-related analysis of the A2J JP was derived from previous studies and assessments including the Country-Led Evaluation of DaO, the UNDAP annual reports, the Independent Evaluation of DaO, the UNDAF end-of-programme final evaluation report and independent project evaluations. Other related key reference documents comprised the mid-term Evaluation of the UNDAP One UN Annual Reports, the Governance Outcome Evaluation Report etc.

General and specific governance, JP and A2J-related lessons learned in the context of DaO as presented in those key documents were collated and critically analyzed. In terms of the tools applied and data collected, overall, a mix of quantitative and qualitative data was captured. Whenever possible, opportunities for data triangulation were seized for cross-validation purposes.

The methodological tool-kit for this evaluation comprised the following approaches, techniques and tools:

1. A critical review of the (overt or covert) underlying theory/theories of change as well as related risk analysis and respective employment/application thereof at Results, Outcome and output level will be closely scrutinized and submitted to an analytical critique.
2. A visual mapping (or graphic representation) of the JP results chain of key results and related performance indicators including concrete targets/milestones, including corresponding national strategic goals/results and indicators; to help assess the strategic relevance and responsiveness of the A2J JP’s support in view of contributing to specific needs and requirements as laid out in the national development agenda. It will also allow to gauge the “vertical and logical fit” of the JP results chains.
3. Review of the logic and language of the results statements vis-à-vis their respective indicators, target sequence, data collection tools, MoVs.
4. Since Rwanda is a DaO pilot country and the JP to be revised is a DaO Flagship, vetting of the results chains of the A2J JP outcomes for their “jointness” at the activity cluster/key result level, including the operational coordination this requires; to determine the degree of maturity of the JP in terms of jointness (first generation JP of single agency outcomes; second generation of joint outcomes but single agency activities; third generation of joint key activities?).
5. A matrix of standard queries and tools (cf. annexed “MTR Evaluation Matrix”) applied in stakeholder interviews as guideline and scaffolding for data collection among participating UN agencies contributing to the JP under review, and analyzing/presenting qualitative analytical as well as assorted quantitative findings; likewise, IPs, recipients (both institutional and non-institutional beneficiaries) as well as interested or neutral observers were approached with the same tools, to the extent possible, to collect their view (about the perceived subjective quality of services delivered etc.).
6. Complementing the matrix with customized specialized queries building on the issues addressed in the generic evaluation matrix and the answers to those standard questions will elicit from various stakeholders. These questions served as semi-structured interview guide allowing for “heuristical flexibility” along the way as the dialogues or multi-logues (key informant interview, focus group discussion, plenary discussion etc.) unfolded, rather than quelling interesting thoughts developing by means of associating experiences etc. through a mechanical application of pre-formulated standard queries. Room was made to systematically probe for key human interest stories as early impact “game changers”.
7. A simple trend projection tool serving to elicit discussions about likely progress against targeted results until the end of the joint programme period as well as related identified and projected/anticipated possible or likely future reasons for setbacks, delays, short-falls etc. and suggested (operational, logistical, procedural, sequential and/or strategic) solutions or, for anticipated issues, response mechanisms to address or avoid such challenges, bottlenecks and other related problems identified.
8. Progress mapping: Compiling “as is”/status quo-related performance data within the M&E matrix to confront the respective state of advancement per indicator (at output and outcome level) against the projected one-year and two-year performance marks.
9. Discussing the (internal/off-line) risk log design and actual related data, specifically at the level of the A2J JP results matrix, reflected also in stakeholder interview data pertaining to challenges and bottlenecks encountered; including financial issues thoroughly analyzed in terms of JP efficiency but also its implications for effectiveness;
10. Discussing financial breakdown data (planned, actually committed, actually spent) in general and confronting it with implementation progress data against performance indicators (cf. Annex 2 for a few evidence-based discussion points related to this issue); in order to verify whether poor performance in moving towards planned results might be attributable to financial constraints.—It needs to be mentioned here as disclaimer that not all financial data that the consultant requested was provided. Hence, some of the more detailed analyses (such as comparing initial budgets with actual budgets and expenditure by outcome) mentioned in the inception report could finally not be run and are thus not part of this report.
11. Stakeholder mapping, including the mapping of other stakeholders’ activities in contributing to national goals, to inform the assessment of the JP’s relative contribution (beyond lower to mid-level results exclusively attributable to the various UN agencies contributing to the JP that is being reviewed).
12. For overall assessment purposes, a ranking scale based on various (weighted) elements including financial efficiency, average delivery against milestones by indicator, overall progress against final (initial and/or revised) final target etc. could be employed, allowing to draw up a report card per outcome or (key)activities against specific criteria, as well as a final general grade or “traffic light”.

The scheduling of interviews and selection of interlocutors took into account the gender and social inclusion perspective.

Other than the backward-looking part of the analysis which analyzed the ground so far covered, the forward-looking component scanned the observations, findings and conclusions for actionable recommendations to be applied to the remainder of the joint programme period (and, if applicable, even beyond). Aspects covered in this part comprise the strategic positioning of the participating UN agencies contributing to the JP, funding/fundraising related issues, as well as suggestions related to programming (e.g., about amending/adding/dropping specific outputs/activities; about mainstreaming of capacity building, Results Based Management (RBM), the gender dimension, sustainability etc.).

**4. Critique of Managerial Structure, Processes and Tools**

**4.1 Partnership and collaboration strategy**

-At the level of the programme management structure, the JP comprises a Project Board (Steering Committee) including high level representatives from the Ministry of Finance and Economic Planning (MINECOFIN) and the JP IPs: Ministry of Justice (MINIJUST), Rwanda National Police (RNP), National Commission for Human Rights (NCHR), National Unity and Reconciliation Commission (NURC), as well as Participating UN Organisations (PUNO) representatives with UNDP being entrusted with the co-chairmanship of this JP governance body.

-Whereas the various participating UN agencies as well as the IPs all have specific project managers that act as focal points, MINIJUST also hosts a designated coordination staff who works closely with the programme coordination team. More specifically, the programme coordinator based at MINIJUST coordinates activities under MINIJUST but also does coordination work as MINIJUST acts as lead IP (chair of Steering Committee). UNDP provides project support to cmanages the overall JP andsupport directly the implementation of Output 5 which contributes to all outputs through capacity building, quality assurance, and M&E and communication.

Under UNDAP’s DRG2 (Governance), there are five JPs that all more or less interface with the A2J JP. For instance, the JP concentrating on strengthening CSO capacities and capabilities, among other activities aiming at injecting dynamism into the CSO landscape, has as one of its goals to enable CSOs to play their assigned role of watchdog of the executive, while the JP on Deepening Democracy and Accountable Governance i.a. addresses accountability issues through support to the media and parliament.

-Through the JRLOS sectoral working group the donor community is also loosely tracking the development under the A2J JP.

-Part of the partnership with the CSO community is manifest through the Legal Aid Forum, an umbrella organization comprising a membership of 38 organizations specializing on legal issues, 25 of which were involved in the parallel CSO-based UPR monitoring and reporting process. On top of this, NCHR and NURC closely work with CSOs through joint ventures whether for the sensitization and conduct of community dialogues on unity and reconciliation (NURC) and for the assessment of implementation of human rights treaties and UPR (NCHR).

-Other than through the indirect partnership with donor countries providing or rather, having provided funding to the One Fund, so far the only direct contact the A2J has among the international donor community is with the Dutch Government: The A2J partnered with the Netherlands for the provision of Technical Advice to the National Public Prosecution Authority (NPPA) and MINIJUST. However, through its direct budget support to the justice sector, the Dutch Embassy has an indirect partnership role vis-à-vis the implementation of the JP. Also, through its official role as liaison entity with regards to “Nuffic” (Netherlands organization for international cooperation in higher education), the Dutch Embassy has the possibility to facilitate study trips, scholarships and, much more importantly in view of desired efficiency gains, customized highly specialized in-country (i.e., on-site in Rwanda rather than in the Netherlands) in-service trainings and seminars. In view of the international legal institutions residing in The Hague, this offer should be of special interest to Prosecution services and the Fugitive Tracking Unit, NURC and NCHR.

-At least in theory, the OneUN M&E Work Group supports monitoring efforts of the A2J JP. However, only the UN(DP)’s project support team and the related GovernanceUnit staff are really in a position to ensure the tracking of A2J JP indicators and, in terms of JP-related means of verification and statistical data, “make sense of it all”. There are on-going efforts to improve on the indicator set to measure the performance of the JP in achieving planned results, which is commendable and necessary as exemplified by the JP indicator “% of the population including women and the most vulnerable satisfied with the judiciary (Abunzi, courts) at all levels’” for which no data was available. In general, the advice here is to consider introducing proxy indicators, whenever possible. In addition, a number of qualitative indicators need to be sharpened in terms of their SMARTness (to avoid skewed data check, i.e., i. whether a question is really devoid of any ambiguities and possible misinterpretations; ii. to whom what kind of question can be meaningfully asked under what kind of circumstance/when).

**4.2 Risk management strategy**

-The JP ProDoc came with a risk log containing the following five items: a. a delay in the start-up and implementation of the project because of the need to build relationships and consensus with some institutions on activities, b. limited consensus on joint programming among UN country team, c. insufficient initial funding due to unreliable funding sources and below anticipated resource mobilization, d. inadequate human resources, e. a weak civil society.

-Risk a. (start-up and implementation delay) was adequately rated at a probability and at the impact level of 4 out of 5, respectively, i.e. “quite high”. The feared delays did actually materialize, resulting in a delay of more than half a year. The actual countermeasure that was quite successfully applied to recoup the initially incurred losses was not listed in the log, namely: rather than only downscaling cost through flexible re-design and prioritization of activities, accelerating programme implementation as proved by actual spending outweighing yearly work plan costing.

-Risk b. (lack of consensus on joint programming) was also rated as 4/5 on account of both probability and impact. This could be linked to the funding contribution by various PUNOs, or rather, the absence thereof: While the projected impact did not play out as badly as feared, UNDP ended up being the only agency actually financially contributing to the JP through cash payments while other PUNOs contributed in kind, through financing limited ad hoc activities outside the JP (UNICEF workshop support, OHCHR human rights training support etc.).

-Risk c. (funding gaps) was only ranked at a probability of 3 given the funding outlook when the JP was designed. At the impact level, the rating was surprisingly only at 4 and not at 5, potentially because during the design of the JP there had been other donors in the JS field beyond the Dutch, with the latter potentially not yet having decided to opt for direct budget support rather than programme/project-based funding.

-Risk d. (inadequate human resources) was ranked at 4, respectively, for probability and impact. The related countermeasure of recruiting TA to strengthen the UN’s Governance Team and embedding technical staff within MINIJUST and providing technical assistance at IP level (e.g., RNP) worked well.

-Risk e. (weak civil society) was ranked surprisingly low at only 2/5, belying the related assessment that “weak (CSO capacity) coupled with a limited working relationship with the UN in the past (will have) an impact on smooth implementation” of the JP. In light of this appraisal it is noteworthy that a separate programme for support to CSOs was designed since CSOs were seen as cross cutting across both JPs, A2J and Democratic Governance. However, it might be worthwhile looking into the issue of whether the cross-cutting approach produced the desired results and whether it would not have been more effective to directly integrate CSO support into the respective design of the JPs.

-Finally, a risk that could probably not be anticipated and thus did not end up in the risk logframe but which should be added, is that activities that were added to the JP at a later stage (esp., the capital intensive and risk-fraught IECMS) might for technical reasons end up sapping resources without being able to deliver anticipated results.

**4.3 Financial Management**

-Under the A2J JP’s fund management mechanism, based on the programme document signed by the following UN agencies UNDP, UNWOMEN, UNICEF, and OHCHR, UNDP is accountable for; i. supporting the national implementing partners in managing the joint programme; ii. timely disbursement of funds and supplies where UNDP is the Managing Agent; iii. coordinating technical inputs by all participating UN organizations; iv. following up with the national partners on implementation; and v. narrative and financial reporting to the joint programme coordination mechanism. With the partial exception of ii. (NIM/NEX constraints in the sense of delays that the UN cannot be held accountable for) and within the limits of what was feasible regarding iii. and iv. (esp. with regards to the caveats inherent to the parallel funding JP Output 3), UNDP lived up to the challenge quite well.

-For the parallel funding component of the JP, UNICEF was supposed to ensure timely disbursement of funds to implementing partners as well as for the timely reporting.

-The IPs were to prepare annual and quarterly work plans which were to be approved by the Steering Committee, with funds to be disbursed to IPs on a quarterly basis via the NIM modality in line with Harmonized Approach to Cash Transfers (HACT). Upon expenditure and reporting by IPs expected every 15th day of the month following the final month of each quarter, UNDP was to account for received funding to the joint programme in accordance with its financial rules and regulations, while at the same time recovering indirect costs as stipulated in the related JP MoU.

-Independent audits were to be commissioned by the UN system (through UNDP) and undertaken by private audit services in line with the UN guidelines and standards for auditing.

-Government IPs pledged to cooperate with the JP’s UN agencies in monitoring and reporting on all activities supported by the direct implementation modality and cash transfers, by facilitating access to relevant financial records and personnel responsible for cash administration with the audit to be based on cash ceilings necessitating an audit.

**4.4 Communication**

-UNDP, in its capacity as UN Lead Agency for the A2J JP, was/is also in charge of related communication activities. As such, it provides related updated information to the media and to JP beneficiaries and IPs.

-In line with DaO principles, all A2J JP-related general publicity material, official notices, reports and publications, acknowledge the role of the implementing partners and the One UN and all participating UN organizations, and the other contributors to the joint programme account.

-The participating UN agencies were explicitly allowed to use their own agency-specific communication channels in addition the One UN channel to publicize the programme. The PUNOs exercised this right freely.

-As per corporate UNDP communication policy, 1% of the budget was earmarked to support communications efforts in support of the JPimplementation. A related budget line for communication was included in the programme budget under Output 5/Activity 5.3. Project oversight including audit, evaluations, communication.

**5. Programme Review: Findings and conclusions**

**5.1 Relevance**

-The overall rating of the JP’s relevance is 13.2/15 (or an “A-“ on a school grade scale of A to F with A being the best grade).

*Table 1 – JP’s Relevance Rating (Score by Output and JP Average)*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| ***Criterion/******Dimension*** | **Output 1** | **Output 2** | **Output 3** | **Output 4** | **Output 5** | **Average** |
| *Relevance* | 13 | 14 | 12 | 12 | 15 | 13.2 |

-Overall, the programme is fully aligned with GoR priorities and strategic development plans, both at the EDPR2 and sector level SSP. The JRLOS’ strategic priorities are reflected in the design of the JP Outputs 1, 2 and 4.

-The programme was designed to provide support to key national institutions dealing with access to justice. In particular, this comprises the Ministry of Justice (MINIJUST), the Supreme Court, the National Prosecution Authority, and the Rwanda National Police, to ensure access and delivery of justice for all, putting special emphasis on the provision of legal aid to the most vulnerable groups including children, women and inmates. While overall higher-level programme support services including fund management (with the exception of Output 3 with its parallel funding modality) were provided by UNDP, actual implementation support of activities was coordinated by MINIJUST focusing on JP Output 1 with the IPs under Outputs 2 (NRHC) and 4 (NURC, RNP) largely operating independently in implementing their respective JP activities.

-While the UN announced in the JP ProDoc that “direct beneficiaries of this programme are key national institutions from central and local government as well as civil society that are involved in the implementation of the programme” it must be noted that, in general, the JP’s focus was almost exclusively on providing support to governmental justice sector entities rather than CSOs. While on paper the involvement of CSOs proceeded brilliantly (see performance indicator under JP Output 2, which reached the level it did through i. the UPR reporting process engaging with one umbrella body that has the indicated 25 agencies as its members which arguably all more or less got involved in the parallel reporting exercise; ii. NCHR surveys conducted in collaboration with CSOs and the media; and iii. NURC working with CSOs in implementing community dialogues) some important members among the CSO community who focus on the justice sector thought that more could have been done, together. However, to counter this argument it should also be mentioned that UNDP supported MINIJUST to organize a training on UPR targeting CSOs, CSOs were part of the high level meeting on the UPR in Geneva in November 2015, the A2J JP worked with the CSO JP to provide a grant to an NGO working in the field of human rights. In final analysis, one might say that overall the support provided to CSOs was quite reasonable.

-In terms of the A2J’s overall relevance it addresses a foundational issue; namely, ensuring that *“Citizens and especially the most vulnerable groups will have access to equitable justice and enjoy their basic human rights while contributing to building a more peaceful society that is conducive to sustainable peace and development”.* The programme was thus designed to contribute to the realization of Rwanda’s vision 2020 that aims at making Rwanda a middle income country by 2020.

-The A2J joint programme’s alignment with the national priorities as laid out in the Economic Development and Poverty Reduction Strategy II (EDPRS2 (2013-2018)) is a reflection of the wider UN programme support as reflected in the UNDAP 2013-2018. As such, the top level pitch of indicators, while logically coherent, is quite removed from the day-to-day activities level under the JP. This, however, is the standard challenge of whether (logically) and how (practically) to determine the exact degree and level of contribution in a context where direct attribution is rarely possible.

-The JP’s activities are meant to promote access to justice especially for women and vulnerable groups in society, while also supporting national unity and reconciliation and supporting the human rights agenda at a national scale. Overall, the JP Outcomes and related outputs are stringently aligned with the national priorities and programming cycle of the Government’s EDPRS2 as well as the UN Development Assistance Plan which is itself supportive and fully aligned with the EDPRS2. Principles of gender equality, social inclusion and human rights are the backbones of the output structure’s design, including access to justice, support to indigents and MAJ/anti-SGBV one-stop centres (JP Output 1) and the promotion of the human rights agenda (JP Output 2). The applied method of capacity building and strategic upstream support was in general well adapted to the given development context in Rwanda.

-While there is no explicit grounding in a theory of change, the assumptions and rationale of the EDPR2’s design inform the A2J’s design; namely, the A2J’s support to the JRLOS sector is one of the UNDAP’s building blocks in the spectrum of governance programming. This implies the A2J’s alignment with rule of law, human rights promotion, security and order at community level, as foundational issues seen as precondition for human development.

- The JP’s results framework is aligned with the newly introduced strategic plan of UNDP. Furthermore, it is fully aligned with the mandate of OHCHR (especially through JP Output 2, but also through training-related key actions/activities under Outputs 1 and 4) and UN Women (especially under Output 1, through the MAJ; but also indirectly, through spin-off effects, via RNP-operated One-Stop Centers (ISANGE) which are not part of the JP but directly interface with the MAJ), and through general mainstreaming and the general thrust against SGBV under JP Output 4 and partially under Output 2 via follow-up to CEDAW etc.). Children’s rights, which is UNICEF’s primary concern in the realm of Governance and A2J, was mainly addressed by Output 3 but also covered under Outputs 1 and 4.

### -Incidentally, the A2J JP is well aligned with SDG 16/”Peace, justice and strong institutions” which aims to promote just, peaceful and inclusive societies with stability, human rights and effective governance based on the rule of law and order as important conduits for sustainable development, peace and security and the absence of crime, violence and corruption. Through its Output 4 and activities related to genocide-related prosecution (Fugitive Tracking Unit etc.) under Output 1, the JP also pre-emptively addresses the remnants of large-scale instability and thus attempts to quench residual violence by attempting to overcome long standing grievances among communities that, if not addressed, would probably continue in the future.

### -The alignment with SDG 16 is further exemplified through the A2J JP’s design features (JP Output 4 and Output 1; cf. above) following up on the successful forerunner interventions including the *gacaca* popular courts. The *gacaca*proactively sought to provide redress of genocidal crime and mass murder including sexual violence and torture. It thus aimedfor a significant reduction of all forms of violence, and work with the Government and communities to find lasting solutions in the aftermath of the traumatic conflict and insecurity the Rwandan society had to endure.

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### -Through its alignment with EDPRS2 which subsumes JRLOS goals under its “Foundational Issues” section which underpins specific thematic sectors, the A2J design addresses the whole official spectrum of the JRLOS sector (i.e., promotion of law and human rights, rule of law, public order and security). Thus, it implicitly acknowledges the link between rule of law and development. As reflected by the design of SDG 16, there is a significant interrelation between rule of law and development which are mutually reinforcing dimensions. Hence, the A2J plays an essential role for sustainable development at the national and international level.

### -A significant number of SDG16 targets are addressed through the A2J JP, including:i. “Significantly reduce all forms of violence and related death rates everywhere” (through JP Output 4); ii. “End abuse, exploitation, trafficking and all forms of violence against and torture of children” (through JP Outputs 1 and 4); iii. “Promote the rule of law at the national and international levels and ensure equal access to justice for all” (through JP Outputs 1 and 2); iv. “By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime” (through prosecution-based activities under JP Output 1, especially if the State Prosecution body and the Police can further strengthen its ability to proactively address “emerging crimes”); ix. “By 2030, provide legal identity for all, including birth registration” (through the preparatory work carried out under JP Output 3, which still should probably be moved to the “Social Protection”/”Human Development” section of the UNDAP where it would fit much more naturally in the follow-up to the related policy now having been drafted); x. “Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements” (through JP Output 2); xi. “Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime” (through JP Outputs 1, 2 and 4, especially if related recommendations submitted through this report can be realized).

-The mainstreaming of cross-cutting programming principles such as gender equality, human rights and human development is well-developed. JP Output 1 addresses gender issues through its MAJ which accommodate a vast majority of female clients, whereas the entire JP Output 2 is dedicated to promoting the human rights agenda (including reporting on legal instruments and treaties and the monitoring of their implementation) with key national institutions to ensure the recognition, promotion and incorporation of international human rights law in all national processes and initiatives. Human rights training for justice sector staff is also part of the activities under JP Output 1. Moreover, JP Output 4 also has human rights training through NURC mainstreamed in its activities.

-A capacity assessment was conducted for all IPs with dedicated attention to the duty bearer NCHR. This served the purpose of taking stock of achievements realized, assess institutional and staff capacity to identify gaps and related needs to fulfil the respective IP’s obligations. This in turn informed the JP’s programme design.

-In the area of human rights promotion, the programme’s design proposed an integrated package conceived to strengthen the capacity of national institutions namely the MINIJUST, National Commission on Human Rights, and Civil Society Organisations to comply with Rwanda’s reporting obligations and implementation of Treaty Body and UPR recommendations.

-The above-mentioned support was conceived in a holistic fashion to promote and mainstream human rights and implement Treaty Body and UPR recommendations by ensuring timely and quality reporting, including parallel reports by CSOs.

-Related performance indicators monitoring the reporting and implementation of human rights are part of the A2J JP’s M&E matrix.

-JP Output 4, with its order and crime prevention sub-component that has the RNP as IP, at least indirectly addresses the anti-SGBV dimension specifically through the training support to CPC members. There is additional gender sensitivity apparent in the specialized training support preparing female police officers to become SGBV focal points in future Blue Helmet missions with the UN.

-The JP trained police officers in GBV prevention and case handling since the programme started in 2013 until June 2015.

-The activities under the current JP Output 3 (which focuses on child birth registration and which had originally targeted NIDA as IP) can effectively become a stepping stone to ensure universal coverage in human development-related domains such as health and education, but also for democratic governance issues (electoral registration etc.). It was placed under this JP based on the reasoning that being officially granted an individual identity and a legal status at birth is a fundamental human right. However, there were unforeseen changes in the national framework for national identification and civil registration giving a stronger role to the NISR and local governments thus the unforeseen need to re-adjust the implementation mechanism. All these factors significantly undermined the scope and depth of actual achievements under this JP Output.

-An internal gender review of the A2J JP was carried out by UNDP in July 2015. In addition, an official independent gender audit to engender JRLOS reforms was carried out in late 2015.The JRLOS gender audit is supposed to serve as a basis for the JRLOS’ future policy actions for gender mainstreaming in the sector and to guide future UN support to the sector’s gender related interventions. It is worth noting here that UNWOMEN provided significant technical assistance for conducting the Gender Audit.

-Other than through its activities exclusively or mainly targeting vulnerable groups such as women and children (see above), the JP provides support to vulnerable groups of society through its capacity building support to the MAJ as part of the activities under JP Output 1 as well as through the *abunzi* mediation mechanism.

-The design of the A2J JP focuses on the UN’s comparative advantages including upstream policy design, capacity building, coordination and mainstreaming of human rights and gender issues. The particular characteristics of Rwanda’s justice sector are reflected in the particular combination of access to justice, rule of law, human rights promotion and crime prevention lumped together with the specific challenge of post-genocide national reconciliation.

-The selected methods of delivery to implement the related activities and achieve planned results, which focused on a systemically and institutionally capacitating IPs through coordination support and systems building (namely the IECMS); as well as b. staff-centered capacity building support through cascade-style training and direct training of justice sector staff to enhance their professional skills, gender sensitivity and understanding of human rights concepts, are well aligned with the participating agencies’ comparative advantages. Recurrent requests for vehicles or other transport support or wage-based top-up incentives were not integrated into the programme since these were not aligned with UN’s comparative advantage. And UNDP’s internal rules and regulations which do not allow for wage-based top-up incentives. In that respect, the selected method(s) of programme delivery were appropriate to the existing development context.

-The programme helped RNP to conduct a crime rate survey to more accurately determine the crime rate in the country and allow cross-analysis and verification with findings generated through the Governance Score Card and the Reconciliation Barometer.

-While some capacity gaps in terms of general justice sector coordination and M&E remain, progress has been made since the beginning of the JP. Through the introduction or revamping of internal M&E processes related to MAJ, abunzi and CPCs, at the very minimum some basic statistics including data against process and output indicators now exist. Further work will need to be carried out in strengthening the JRLOS’ vertical and horizontal coordination of justice segments including monitoring and evaluation both at central and decentralized level.

-The support to build an integrated electronic case management system (IECMS) within the justice sector institutions to help in tracking the incoming cases and the way they are processed is meant to improve service delivery in the justice sector, to reduce the incidence of backlogs and provide statistical data for calculating other systemic performance indicators (performance of specific courts at central and regional level etc.). This is a potentially highly relevant activity with obvious ramifications for strengthening the overall JS M&E set-up. However, there are a number of risks and potential drawbacks inherent to any given type of database project that also need to be duly noted.

-The JP’s interface vis-à-vis the aftermath of the genocide is two-fold. On the one hand through prosecution; and, on the other, via measures to foster reconciliation, trust and unity. Even more than two decades following the genocide, the specificity of the Rwandan Justice Sector is that access to justice comprises the right of genocide victims to see perpetrators brought to justice, but at the same time to also recreate social cohesion and even, to the extent possible, a sense of conviviality including perpetrators, at the community level. In this respect, the value added by the A2J cannot be underestimated.

-Through support to the Prosecutor’s Office (JP Output 1), Rwanda’s efforts to bring the remaining suspects of the genocide against the Tutsi in 1994 before the specialized chamber for genocide crimes were provided with technical advice to support research, case investigations and advocacy on genocide justice. Meanwhile, under JP Output 4, in the area of Unity and Reconciliation of Rwandans, restoring relationships and rebuilding trustbetween perpetrators and victims were supported through strengthening the capacities of NURC and community actors to promote dialogue, undertake further research, mediation, unity and reconciliation processes at both central and local level including the strengthening of reconciliation forums. To ensure availability of quality data on peace, unity and reconciliation, relevant support was provided to research initiatives such as the reconciliation barometer.

**5.2 Effectiveness**

-The overall rating of the JP’s effectiveness is 10.6/15 (or an “B“on a school grade scale of A to F with A being the best grade).

*Table 2 – JP’s Effectiveness Rating (Score by Output and JP Average)*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| ***Criterion/******Dimension*** | **Output 1** | **Output 2** | **Output 3** | **Output 4** | **Output 5** | **Average** |
| *Effectiveness* | 12 | 14 | 6 | 9 | 12 | 10.6 |

-Overall effectiveness is measured against the pre-defined set of outcome indicators whereas the performance indicators at output level are looked at to gauge lower-level effectiveness.

-In this context, the reader is reminded that JP Output 1 is the most complex with all PUNOs as well as several IPs of the justice sector (MINIJUST, Supreme Court, Prosecution etc.) involved; whereas JP Output 3 is the simplest with only one PUNO (UNICEF) and one IP. JP Outputs 2 and 4 have higher complexity than JP Output 3 but are less complex than JP Output 1 in that they have more than one PUNO and/or IP (NCHR as IP with OHCHR and UNDP as PUNOs for JP Output 2; and NURC and RNP as IPs with UNDP as PUNO, under JP Output 4).

-Meanwhile, JP Output 5 which focuses on management and coordination of the A2J JP has a special status in that it is not as such a thematic pillar. As sole lead agency, UNDP is exclusively responsible for delivering activities under JP Output 5. However, it should be mentioned here that other UN Agencies participated in Joint Field Visits and capacity building activities under this output. (N.B.: In this context, it is also worth noting that there is no relation between output 5 and key action 1.3 under JP Output 1 which focuses on the JS coordination role of the JRLO Secretariat and the JRLOS committees at district level in supporting vertical and horizontal coordination and promoting justice sector-wide M&E).

-Overall, there are 13 indicators at JP Output level, from Output 1-5, respectively, 3, 3, 2, 3, 2 (cf. Table 3 further below). In addition, there are two indicators at Outcome level, which brings the total number of indicators to 15.

-Among these 15 indicators, 6 (of which one at Outcome and five at Output level) can be rated as already having reached or even exceeded the final target foreseen for 2018 (green). At the same time, 5 indicators are more or less on track without any reason for serious concern (orange) whereas among the remaining four indicators, two indicators related to Output 3 are clearly not on track and for one (Output 1, indicator 2 which is about the satisfaction of the population including women and vulnerable groups with the services provided by the judiciary including abunzi) no data seems to be available.

-Both JP Outcome indicators are in the “green” and “orange” and thus earn a positive mark. JP Outputs 2 and 5 show “green” across the board. Among output-level indicators, five have already surpassed their five year goals while four are solidly on track.

-For Output 1 it is not clear whether the non-evaluable indicator (Output 1, Indicator 2; cf. above) might actually give reason for concern. There is actually no real difference between this specific output indicator (“satisfied with (with fairness in) judiciary at all levels”) and the first outcome/JP Output level indicator (“confidence in justice system at all levels”). Hence, one might arguably use the outcome level indicator and related data as proxy for the output, in which case this could also be marked as pretty much on track. Alternatively, there is 2012/2013 composite data available (source: RGS 2014; page 23) for the proxy indicator “Trust in fairness of the courts” which has a rather poor showing at 68.41%. On the other hand, there is much more recent data from the 2015 draft RRB that presents a score of 90% for the proxy “Trust in justice system“ (with 51.4% answering “quite a lot” and 38.6% saying “a great deal”). In final analysis, this indicator is thus likely to be on track.

-There are three among the total of thirteen output level indicators that do provide reason for concern. JP Output 3’s two indicators related to the birth registration system were solidly lagging behind showing both performance indicators in the red. The background to this is that this JP Output was initially meant to be implemented via a specific IP (NIDA) which was replaced mid-way through by a new counterpart (National Institute of Statistics of Rwanda/NISR), which prevented the activity from taking of since all related processes such as negotiations etc. had to resume virtually from scratch. Further issues cropped up due to a delay at the policy level. The rationale for placing the birth registration mechanism under the A2J JP was that defendants of young age should not be dealt with as adults in terms of punishments, but that the specific law code for children and youth should be applied. In order for an individual to prove that he/she is indeed not an adult there is need for a birth registration mechanism that allows to determine the exact age. At the same time, legal reform was being pursued under the Output: a related new governmental/ministerial policy was adopted after more than a year of delays, in late 2014. This law foresees for young defendants’ to be tried at community level; except for cases of homicide and defilement, where it would not be in the interest of the accused to be tried “at home”. The old policy foresaw that under criminal law any child offender (-14 years of age) would be given the same type but only half of the punishment as an adult (e.g., 50% of the jail term etc.). While the new policy now exists the policy has so far not been translated into related laws and decrees. Hence, the new policy still remains at the theoretical level rather than being practically enacted. A potential contributing factor might have been staff turn-over among high-level ministerial staff who were part of the process of drafting the policy and thus would likely have acted as champions of pushing for its actual implementation. At the time of the evaluation, UNICEF was pointing out that the challenge consisted in nudging MINIJUST towards action on this issue. Related attempts to mainstream child friendliness into the new abunzi law led to mixed success in that child-related aspects such as alimony payments etc. have been integrated but criminal law aspects were not. Hence, the poor showing in terms of the indicators properly reflect the overall challenges the implementation of this JP Output has been facing.

-The third indicator with potentially poor showing was Output 4’s lead indicator (“% of citizens satisfied with reconciliation, social cohesion and unity mechanisms”) with a baseline of 83.57%, a final target of 90% and 2014 RGS (published in March 2015) reporting of 80.58% which is a regression vis-à-vis the baseline. This might be explained through a slight change to the way the query and related indicator had been formulated: It is not certain that the actual question (in its previous and revised version) submitted to the respondents by data collection staff/interviewers made the distinction between the mechanisms and their effect(s) absolutely clear to the respondents and hence, whether the reported baseline (and milestone) is actually accurately reflecting what it was supposed to measure.

-Moreover, it should be noted here that the related result is the strengthening and deepening of the mechanisms as such rather than the actual final situation in terms of social cohesion, national unity and reconciliation. There is obviously a direct correlation between the latter and the quality and strategic weight of the mechanisms, but the latter are only a means to the end, and improving the reconciliation etc. will take time since it is a transformative, social change process. Hence, there is a delay between improving the mechanism and seeing its results on the ground.

*Table 3 – JP’s Outcome and Output Indicator Progress Overview*



-The overall picture of progress against the performance indicators pretty accurately reflects the general impression emerging from the interviews about progress and issues encountered, namely the relative failure of reaching set goals under Output 3 and issues encountered in the roll-out of activities under Output 4, with flawless progress under Output 2 (and 5), while Output 1 encountered some minor issues but overall progressed fairly well. In this respect, it must be said that the indicators appear to be well designed since fairly accurately echoing what transpired through the qualitative data collected during the stakeholder interviews.

-As general disclaimer for all indicators, there is need to also consider the general funding shortfall, which obviously willbe discussed in detail under the “efficiency” chapter. Had the originally foreseen funding been available, there would likely have been at least a slightly positive effect on most if not all of the indicators.

-A specific peculiarity of the A2J JP’s RRF is the absence of yearly intermediary targets (or “milestones”), which adds an element of potential randomness to the progress ranking against captured data since with or without planning, many if not most processes play out in non-linear fashion. This element of unpredictability can see some processes accelerate beyond initial expectations leading to fixed goals being achieved well ahead of time (cf. Output 2), while in other cases the opposite occurs and delays, blockades and barriers thwarting what had been planned along the lines of expected progress under normal conditions.

-Moreover, just as especially at the beginning of the JP’s implementation phase (far) less resources than initially foreseen when determining the final target were actually available, there was an injection of surplus cash as of the 2nd year of implementation which allowed some indicators to catch up.

-However, in terms of indicator design, some critical remarks need to be made that potentially undermine the accuracy and/or reliability of the data and related assessments of progress. This criticism explicitly spares the JP Outputs 2, 3 and 5 which have straightforward quantitative and in the case of Output 3 even binary metrics. Rather, it exclusively applies to the Outcome level indicators and JP Output 1 and 4 which comprise qualitative (quantified) perception-based indicators.

-Apart from measurability issues (related to reliability and accuracy of reported data), even those planned results linked to indicators that show exceedingly positive progress (ex.: Outcome indicator 1) should not be taken lightly from now on as “already done” since there is always room for improvement, be it quantitatively and/or in terms of the quality of processes, services and goods provided through the A2J JP’s key actions and activities. This implies that, potentially, new results could be added and/or more ambitious targets defined even if the current results remain the same.

-In addition, survey error margins (degree of confidence; accuracy and precision) for perception level representative sample surveys are such that the relatively small incremental positive advances (less than 10 percentage points in most cases) for indicator progress reporting and final targets might actually be “wiped out” by data inaccuracies and lack of precision; and this is not even accounting for data bias that might be induced through the fact that it is a para-statal agency that collects the data, which might induce an element of “positive response bias” (only those in favour of the government providing answers; those providing answers “tuning” their answers). These are standard phenomena all over the world and are not meant as particular criticism of the Rwandan barometers, but it is mentioned here since analysts need to be aware of these effects when looking at data.

The following presents a technical critique of the indicator design which applies at the outcome level as well as for other perception-based indicators determined through opinion polls etc.:

-In general, there is an inherent risk for bias in data production since the RGB is a government-owned institution rather than an independent agency with an ombudsman-type legal status. On the other hand, it is advised to use national M&E systems (and, where applicable and possible, try to strengthen related institutional, organizational and individual capacity) rather than setting up parallel mechanisms. Avenues to ensure proper oversight of the data management process, potentially involving CSOs (potentially through the CSO JP and/or under the helm of the A2J JP) could be explored.

-The A2J Programme was designed to contribute to EDPRS2’s foundational issues which consider the rule of law, unity and reconciliation, security and stability as key drivers for economic transformation. It also addresses priorities expressed in the Justice, Reconciliation, Law and Order Sector (JRLOS) Strategic Paper 2013-2018 which focuses mainly on strengthening access to justice, rule of law, human rights, safety and peace. Following the logic of alignment with GoR results and indicators, the UNDAP Result 2/Outcome 2 (“*Human rights, justice, and gender equality promoted and implemented at all levels*”) feeds into the Rule of Law-related sub-component of EDPR2’s related outcome 28 (“Enhanced rule of law (…)”).

-However, EDPR2 and UNDAP outcome level results transcend the JP Output level and typically have aggregate KAP-B indicators (based on personal, subjective perceptions, judgments, opinions etc.) as metrics. Such qualitative, perception-based measures are especially fickle in the complex field of perceived justice and security. After all, what is measured here is the subjective assessment (based on impressions, feelings etc.) which is intimately linked to, and influenced by, the occurrence of potential atypical outlier events and contingent cycles linked to the psychology of the masses.

-Data disaggregation (disaggregated against gender, vulnerable groups), while foreseen by the JP’s perception indicators, is absent from government data.

-The A2J JP outcome indicators equal the UNDAP outcome level indicators (in both cases: “% of public confident with the justice system (disaggregated by age and sex) at all levels”, “% of adult population with confidence in the respect for human rights (political rights and civil liberties”). While there is not per se a missing link or a need to add an additional layer of indicators between UNDAP and JP Outcome level since no other UNDAP intervention is contributing to these specific results, it is not clear why the third results area of the A2J JP which is related to peacebuilding (as captured by JP Output 4 which is about promoting national unity and reconciliation) is not represented among the outcome indicators both at the UNDAP and JP outcome levels.

-As mentioned above, the first outcome indicator (“% of public confident with the justice system (disaggregated by age and sex) at all levels”) is largely overlapping with Output 2’s second indicator (“% of the population including women and the most vulnerable satisfied with the judiciary (Abunzi, courts) at all levels”). In the data overview provided to the consultant by UNDP, it was stated that no data source was identifiable for the latter. One way of dealing with this (alleged) data absence would be to use the data used for the JP Outcome indicator as proxy. Alternatively, one might want to use RGS 2014 data (cf. page 23 of the RGS 2014 Edition) from the sub-section 2/”Performance of the Judiciary” which reports a 68.41% score for the composite variable “Trust in fairness of the courts”, which seems to capture the essence of the output indicator quite well.

Related recommendations are:

-The UN could suggest to the Government that Statistical experts look into the possibility of recalibrating the indicators of the Governance Scorecard towards measuring change at the district level; e.g., by i. measuring change only for a sample of specifically targeted geographical areas for which the most significant progress is planned for, assuming that the incremental steps would be in the range of at least 10-15 percentage point increases; or ii. by changing the indicator’s unit from % to “number of administrative units (if possible, at district level, if not then at the meso/macro-level of provinces or regions) showing significant progress” (e.g., increases >15 points). This is of course assuming that the actual data collected will reflect a level of progress in the range of significant, effectively measurable change outweighing the margins of error of inherently imprecise sampling techniques applied for qualitative surveys/Knowledge, attitude, practice and belief(KAPB) indicators.

-From a linguistic point of view, it must be noted that the present formulation of the first outcome indicator is potentially misleading, since the formulation “confident with” can be interpreted as “to be familiar with”, as opposed to the (probably) intended meaning of “confident about” in the sense of “with confidence in”. It should be checked if in the data collection instruments the question in Kinyarwanda that is ultimately used during data collection is indeed devoid of any ambiguity. Similarly, the English language version should be amended to “with confidence in” or “confident about”, in the UNDAP and the JP results frameworks.

-Related to measuring the effectiveness of interventions at the level of strategic key actions (and, to a lesser extent, of activities), systematic vetting of the Rwanda Governance Scorecard’s most recent editions for useful (lower level proxy) indicators in the areas of access to justice, peacebuilding and human rights is recommended (cf. pages 31/32 for human rights; regarding confidence in access to justice mechanisms and localized performance indicators (Section Quality of Service Delivery; Sub-Section Service Delivery in Justice Sector: “Experts’ satisfaction with delivery in Justice Sector”; “% of citizen expressing satisfaction with service delivery in Justice Sector”; “Citizens satisfaction of Abunzi”; “% of citizens satisfied with service delivery by MAJ*”;* cf. pages 62). A further localization of indicators along the lines of above-mentioned suggestion for outcome indicators might also be considered for key action level/sub-level scorecard indicators. This might have implications for the design of the survey design (sample size, if applicable).—While this is not genuinely part of the remit of the JP there is no reason why JP management (or, alternatively, UNDP or the One UN M&E working group) could not proactively share these ideas with the JRLOS.

-Strengthen the Government’s capability to collect and report against disaggregated data. This could be done through technical M&E capacity building support to the bodies responsible for producing the Barometers and Scorecards (Reconciliation Scorecard, RGS).

**5.3 Efficiency**

The overall rating of the JP’s efficiency is 10.3/15 (or an “B-“ on a school grade scale of A to F with A being the best grade).

*Table 4 – JP’s Efficiency Rating (Score by Output and JP Average)*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| ***Criterion/******Dimension*** | **Output 1** | **Output 2** | **Output 3** | **Output 4** | **Output 5** | **Average** |
| *Efficiency* | 12 | 14 | 8 | 6.5 | 11 | 10.3 |

-Other than UNDP core resources, the A2J joint programme was supposed to be financed through multiple sources of funds. Other than in-kind contributions by the GoR, the resources were meant to include core fund resources from UN agencies, and resources from the “One UN Fund” pooled fund mechanism with UNDP as its Managing Agent. The One Fund monies were to be partly managed via pooled funding with the remainder being funneled through parallel funding, by UNICEF.

-For the 5-year programme duration (01 July 2013-30 June 2018), the ProDoc projected contributions by the various stakeholders including in-kind support by GoR, US$ 5,202,295 of UNDP core resources, US$ 330,000 from UN Women, US$ 100,000 from OHCHR, UNICEF providing US$ 712,500, US$ 4,000,000 through the One Fund, and an unfunded component of US$ 2,771,715.

-In total, the budget planned for in the A2J JP ProDoc was US$ 13,116,510 out of which US$ 10,344,795 (almost 79%) were declared as being effectively secured and thus available funding. UNICEF’s parallel funding component amounted to some 5.4% of the entire estimated budget, or roughly 6.9% of the budget component declared as secured.

-In the case of some, but not all IPs, some delays occurred due to slow procurement procedures and administrative issues mostly attributed but in reality only partially related to, the idiosyncrasies of the NIM modality. UNDP might want to look into this issue at the CO/corporate level and by supporting the government in revising the business processes and systems it is using within their own administrative machinery for managing payments, procurement and hiring/recruitment processes. Also, related reporting burdens are a constant complaint among stakeholders and can surely be addressed through better coordinating governmental and UN-specific reporting templates (through identifying and agreeing on shared commonalities and standardizing related formal requirements) and reporting cycles.

-In the absence of related data from MINIJUST on sector and/or IP-specific resources beyond regular core budget expenses for staff and operations, it was not possible to calculate the proportional share (%) of the JP budget cost vis-à-vis the overall development budget of the JS. Furthermore, in terms of financial data stored in UNDP’s corporate integrated business intelligence system (ATLAS), it took more time than expected to reconcile various data sets of budget projections, allocated funds and final consolidated amounts spent. The final analysis is based on a practical compromise using figures available.

-Actual spending against the ProDoc’s budget provisions stands at 48.5% for the first two years since the formal start of the A2J JP (as opposed to the actual start of implementation, which suffered some delays). Non-adjusted net absorption rates, i.e. expenditure versus beginning-of-year IP workplans, show quite some differences between the first year and the following periods. The relatively poor absorption rate of 52% in Year 1 was due to administrative delays which effectively kept the JP roll-out in the starting blocks for almost half a year before implementation could start. In this context, it should also be noted that for the first year of the JP, the IP WPs only amounted to a consolidated 54% against the originally foreseen budget as per the ProDoc.

**Efficiency (Financial Overview)**

*Table 5 –Financial Overview Year 1 (July 2013-June 2014)*



*Table 6 – Financial Overview Year 2 (July 2014-June 2015)*

*Table 7 – Financial Overview Year 3 (July 2015-June 2016) N.B.: Expenditure only Q3/2015/1st Quarter Year 3*



-Importantly, no One Fund resources had been made available in that first year which was reflected in the drastic downward revision of the yearly work plan. UN Rwanda stepped in by (re)dedicating Core resources to fill this gap. Especially in the third year (July 2015-June 2016) all IPs delivered beyond their fixed respective (monetary) targets which was necessary to catch up with delays incurred during the start-up phase of the programme. Savings were generated through economical Programme management for which combined expenditures in years 2 and 3 were only slightly above 52% of the work plan budget (some USD136,000 in lieu of USD260,000). The result was that overall expenditure levels outpaced the budgetary provisions of the IP work plans since July 2014, i.e. in the second and third year (101% for year 2, 119% for the 1st quarter of the 3rd year). The total average absorption of work plan budgets from July 2013-June 2015 stands at 79% which includes the first half year of effective non-spending. If the first two quarters of Year 1 are excluded from the calculation the absorption outpaces initially foreseen yearly budget provisions.

-It must be noted that the intended spending against Output 3 resulted in a complete failure. Overall, UNDP ended up being the UN agency more or less exclusively bankrolling the JP, which is not in line with the original intent of the JP as such and specifically, its originally foreseen financial management arrangements. To boot, UN Women mobilized some additional resources to provide technical assistance for the conduct of the Gender Audit. While OHCHR did spend some money against training activities this spending happened outside the JP’s administrative mechanism. GoR in-kind contributions were difficult to monetize and have thus not been included in the detailed review.

*Figure 1 – ProDoc Budget vs. Expenditure (USD) / Years 1-3*

(N.B.: For 2014/2015 and 2015/2016, the “One Fund” was effectively replaced by the DRT-F.)

-Above diagram(Figure 1) graphically displays the discrepancy between initially projected resources and actually available funding, with Year 1 showing that the UN, and effectively, UNDP all alone, mobilized 50.4% of the foreseen core budget (USD801,044 against planned USD 1,588,345) while the contribution from the One Fund did not materialize.

-In Year 2, theresources from DRT-Fund, mobilized through the One UNRwanda , covered 37.5% (actual 369,092USD against budgeted 985,530USD) of the One Fund budget projected in the ProDoc, whereas UNDP once again as single agency covered the entire budget provision under the Core Fund and even exceeded this amount by almost 21% (USD 1,512,075.95 actual vs. USD 1,251,477 planned). For Year 3 (July 2015-June 2016), data from the first quarter allows to project that a pattern similar to year 2 will unfold over the remaining three quarters of 2015/2016.

|  |
| --- |
|  |
|  |

*Table 8 – IP WPs vs. Expenditure vs. ProDoc Budget (USD) / Years 1-3*

|  |  |  |  |
| --- | --- | --- | --- |
| **Period** | **IP WPs vs PRODOC** | **Expenditure vs PRODOC** | **Expenditure vs IP WPs** |
| Year 1 | July 2013-June 2014 | 54% | 28% | 52% |
| Year 2 | July 2014-June 2015 | 83% | 84% | 101% |
| Year 3 | July 2015-June 2016\* | 18% | 21% | 119% |
| Years 1+2 | July 2013-June 2015 | 67% | 53% | 79% |
|   | *\* Expenditure and Work Plans only covering 1st Quarter/Year 3 corresponding to Q3/2015* |

-Overall, across the entire JP, the metric “expenditure versus beginning-of-year IP workplan” shows quite some discrepancies between the first year and the following periods. In this context, it should be noted that the IP WPs only amounted to a consolidated 54% against the originally foreseen ProDoc budget for the 1st year, 83% for the 2nd and 67% for the 1st and 2nd year as an average.

*Table 9 – Planned Total JP Budget (ProDoc)*

|  |  |
| --- | --- |
|   | **Planned Total JP Budget (ProDoc)** |
|   | *Total Budget (projected)* | *Request to One Fund (projected)* | *Agency contribution (projected)* |
| **UNDP** | 8,956,056 | 68.0% | 3,753,761 | 41.9% | 5,202,295 | 58.1% |
| **OHCHR** | 207,104 | 1.6% | 107,104 | 51.7% | 100,000 | 48.3% |
| **UNICEF** | 3,409,755 | 25.9% | 2,697,255 | 79.1% | 712,500 | 20.9% |
| **UN Women** | 593,595 | 4.5% | 263,595 | 44.4% | 330,000 | 55.6% |
| **Total** | 13,166,510 |   100% | 6,821,715 | 51.8% | 6,344,795 | 48.2% |

-As mentioned already, the actual agency contribution projection did not materialize, with UN funds exclusively stemming from UNDP core (or TRAC) funds. While OHCHR and UNICEF did spend some monies on specific activities, these were not funneled via UNDP or budgeted against the A2J JP but rather, spent outside the JP’s financial framework. In terms of implications for DaO, the final result is that actual core fund contributions from UNDP so far covered 100% rather than the initially planned 82% (status: until end September 2015).

*Table 10 – Relative Budget and Expenditure Share by IP & Output*



*(N.B. Expenditure only until end September 2015; read 1 as 100%; hence 0.16 equals 16%, 0.03 equals 3% etc.)*

-The above table is important for the value-for-money analysis and the reader is encourages to study it in conjuncture with the M&E reporting matrix (cf. *Table 2 – JP’s Effectiveness Rating*)presented further above under the chapter on effectiveness. The column on “relative share” shows the distribution of planned share based on the ProDoc’s projections including One Fund and Core Fund projections.

-It is important to draw the analytical distinction between the financial weight or relative share as per initial planning (“Relative Share (ProDoc)”); relative share of actual expenditure which reflects the distribution of available funding among IPs/JP Outputs; and expenditure against initially planned fund allocation (% Expenditure against ProDoc). The latter metric is not to be misinterpreted as fund absorption rate, a (proxy) indicator for effectiveness. Rather, it shows actual expenditure as a proportion of the initially foreseen budget. Assuming an equal absorption rate of 100% against overall funding available for spending which falls short of initial plans across the board, this measure allows to gauge to what extent the initial planning projections per Output/IP were met.

-The planned weight of Output 1 which is driven by MINIJUST becomes quite clear, since it claims more than half of the overall budget projections (more precisely: 52%), with RNP and NURC coming in a distant 2nd and 3rd as institutions (27% and 12%; respectively; together 39% of ProDoc fund projections under Output 4).In this regard, it is worth mentioning that Output 1 includes the cost-intensive activity IECMS (case management system including hardware and software budget items), which alone costs USD 1.7m. Furthermore, the budget of Output1 also includes a comparatively high number of participating/benefitting agencies including MINIJUST, NPPA, the Supreme Court and Rwanda Law Reform Commission.

-The budget foreseen for NCHR (Output 2) claims a mere 6% of the JP’s monetary value. Here, the relative value for money comes to the fore (high impact results and effects for comparatively low amounts of funding).

-Management activities (Output 5) were initially allocated 4% which strikes a good balance between leanness and minimum funding requirements for ensuring professional overall coordination of a JP of this size and complexity.

-In terms of increase in percentage points, the increase in favor of the IP between planned share and final relative share of expenditures is the same for NURC and RNP, with plus 14 point for both (26% instead of 12% for NURC and 41% in lieu of 27% for RNP).

-NURC and RNP managed to spend 63% and 43% of initially projected allocations (actual expenditure vs. ProDoc). Meanwhile, NCHR (13%) and MINIJUST (16%) spent relatively little (in terms of actual expenditure which is not to be confounded with absorption capacity) of their initially projected ProDoc budget allocation.

-Column 4 shows the actual share of IP/Output-level expenditures against the JP’s total available resources (until and including Q3/2015). If compared with column 1, it becomes clear that Output 1/MINIJUST was hit very hard by the reduced funding, since rather than receiving 52% of the overall budget as foreseen in the original ProDoc budget it ended up accounting for only a share of 28% of actual total IP expenditures, which translated into a mere 16% of the initially foreseen overall budget line for Outcome 1. In relative terms, NCHR/Output 2 and the MA (UNDP)/Output 5 had to suffer even more since they were only allotted half the funds initially foreseen (3% and 2% expenditure vs. 6% and 4% of the planned budget, respectively). This meant that NCHR only received 13% of what it had planned on receiving, with the Managing Agent merely raking in 20% for actual spending of what had been earmarked for its activities at the initial stages of the budget planning.

-The biggest relative winner was NURC which managed to increase its relative share from the planned 12% (of the budget) to 26% of actual expenditure and thus more than doubled it. In this context it must be noted that the overall financial support that the NURC received was still substantially lower than what had initially been planned for. For the 3rd year (2015/16), for example, JP management announced to NURC that the core fund allocation would be cut by 8% against initial planning during the JP design stage. While the activities still continue as planned, their scope is significantly reduced and money is saved wherever possible (e.g., workshops and trainings are being held at the NURC facilities rather than in a rented venue etc.). This implies that while the overall funding shortage affected all UNDP-managed JP Outputs, in relative terms these reductions played out differently.

-There is evidence for the IP’s and the UN’s willingness and ability to learn from their mistakes and address inefficiencies building on lessons garnered from, for example, the faulty initial design of a cascade training that could have produced much better value for money and reached higher target numbers, and at an earlier stage, as explained below.

-Quicker results at (much) lesser cost could have been reached under JP Output 4’s capacity training for CPC members. A flaw in the design of the training cascade was picked up after several months. However, there was still room for further streamlining of the cascade design which the IC pointed out to RNP focal points during the in-country mission. Training unit costs and the delay in reaching target numbers should now be significantly reduced by using already trained CPC members at the grassroots level as master trainers. According to the newly suggested model, rather than continuing with per diem/travel pay-intensive deployment of regional master trainers, it will be the already trained CPC members who will fan out to the villages in the direct vicinity of their homes to carry out trainings, there, rather than concentrating CPC members in district capitals etc. Based on a focus group discussion (of admittedly very sample size of n = 3) with CPC members who underwent training, it is likely that virtually no concessions in the quality of training will need to be made. To the contrary, potentially, the quality might even be higher given that the CPC members are bound to know the specific characteristics of their respective surroundings and audiences better than the master trainers. Also, given that they themselves are operating at the grassroots, they might be in a better position to deliver the training contents in a practically relevant fashion. N.B.: For the revised cascade design, while the budget is significantly reduced, there would still be a need for some funding support covering (public) transport costs to allow for the grassroots-level master trainers to travel to training locations/communities that cannot be easily reached by bicycle or by foot.

-In addition, RNP suggested an additional activity linked to the regular training programme which would be about crime prevention sensitization. Ideally, to ensure efficiency gains, such an additional training module would be delivered/conducted through the existing pool of grassroots master trainers, if and once finalized. (RNP announced they were working on a related budget request and roll-out strategy.)

**5.4 Sustainability**

-The overall rating of the JP’s sustainability is 9.7/15 (or an “B-“ on a school grade scale of A to F with A being the best grade).

*Table 11 – JP’s Sustainability Rating (Score by Output and JP Average)*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| ***Criterion/******Dimension*** | **Output 1** | **Output 2** | **Output 3** | **Output 4** | **Output 5** | **Average** |
| *Sustainability* | 10.5 | 12 | 5 | 9 | 12 | 9.7 |

-With regards to the sustainability of A2J joint programme interventions, the overall focus on capacity building implies that in-service training-based activities will have a good foundation to continue in the future even potentially without UN support.

-In looking at current capacity levels reached thanks to A2J JP support, requisite skills and expertise in terms of promoting and monitoring human rights have been built through the UPR support mechanism supporting MINIJUST and the sensitization activities carried out by NCHR (JP Outputs 1 and 2). The structure, mechanisms and staff set up within MINIJUST for UPR/Treaty-related follow-up appear to be set to continue their monitoring of implementation of key UPR recommendations without further support even at this early stage, which qualifies as a success story and is an example for early (high) impact of A2J JP support. However, further sustained trainings for NCHR staff are suggested to bolster the institution’s capacity to “drive” the human rights agenda nation-wide, on their own.

-The design and operation of the IECMS is an undertaking that is full of promise but at the same time fraught with technical as well as ethical risks, especially if the system will be linked up with a number of other, non-justice sector databases as currently planned. The sustainability of this project hinges on the availability of quality data since unless JS institutions provide a steady flow of information to populate the system with most recent data, the system might quickly become useless for operations requiring up-to-date real-time statistics on individual cases. For higher-level systemic research such as keeping track of key M&E indicators such as case back-log, it would be slightly less important to keep electronic file information 100% up-to-date. Other than buy-in and commitment from the various independent sub-branches within the justice sector to maintain the information within the system up-to-date, which is a legal and organizational issue that for the time being appears to pose no problem at all, there will also be need to intensively train the staff within those institutions who will be responsible for cleaning and inputting the data. This issue might bloom into a major challenge if not handled properly from the outset through careful planning, design of highly user-friendly interfaces for data entry, developing quality training materials and carrying out equally high quality training interventions. From an ethical and data security point of view beyond the issue of data theft, there is an in-built hidden threat of data abuse that in many countries facing similar challenges is held in check through independent data ombudsmen or similar autonomous “watchdog” entities whose remit is to ensure data protection from the perspective of safeguarding the interests of the citizens vis-à-vis the State machinery.

-Outcome 3’s sustainability remains unclear. While the policy requirements have been fulfilled there is still no law and the systems’ set-up will require some time before they can become operational and related registration processes can be rolled out. In terms of ensuring that the still very relevant result will be seen through and can be achieved, it is recommended to move this outcome to the UNDAP results area on human development or social protection rather than keeping it within the A2J JP and UNDAP result area on governance. This would come with the additional benefit of allowing the A2J JP to do away, for structural reasons, with a consistently underperforming area. More importantly, the JP was never in a position to address this underperformance since the institutional end beneficiary changed and there were a number of additional delays on the IP’s side that JP management could not do anything about. On top of this, this JP Output was arguably strategically mis-placed under this JP, from the very beginning, since in the long run more closely related to the programming areas of social protection and basic social services rather than governance.

-Under Outcome 4, in order to maximize the impact of the support provided to NURC, it appears advisable to revisit the interface and related potential for synergies between the NURC and its constitutional sister institutions NCFG (National Commission for the Fight against Genocide) and NCHR in all matters pertaining to keeping the memory of the genocide and organizing related research and exchange fora such as national, regional and international symposia, conferences, round tables etc. It should be stressed here that this recommendation is not meant to eradicate overlap (which does not exist for the time being) but focuses on taking full advantage of potential synergies between the above-mentioned bodies.

-Across the board (under JP Outputs 1, 2 and 4), IPs mentioned the need for strengthening capacities for applied and/or in-depth legal research. The value of the IECMS, if properly running and populated with up-to-date data, for informing such research endeavours cannot be stressed enough. However, the link between the IECMS and evidence-based research appeared to be a new idea that was not necessarily well understood by stakeholders. In this respect, the JP management is urged to coordinate between stakeholders to ensure a liberal exchange of ideas and articulation of related interests. This would ideally lead to an integrated joint research approach (for instance, a shared subscription to international web-based virtual libraries or resource centres, setting up national electronic filing systems potentially linked to IECMS, drawing up a JS research agenda including inter-agency research topics etc.).

-Along this vein, the above-mentioned suggestion to specifically tap into the Dutch Embassy’s standing offer to provide facilitation services to access higher education support (through Nuffic) to the JP’s activity areas should be further explored in several directions: a. could Nuffic provide access to, or sponsor, a subscription to cloud-based legal libraries or specialized publishing house’s professional journals?; b. will it make sense to invite specialists through Nuffic to help the IPs brainstorm about their actual real research needs and design related solutions for reference centers, be they virtual or through “old-school” libraries with print copies of books, reports, journals etc.?; c. could Nuffic help in setting up an integrated research and related capacity building agenda including pre- or in-service education of legal librarians and specialized researchers (in areas such as genocide; transitional justice and reconciliation; forensics; emerging crimes such as organized crime: human trafficking, organ harvesting, drug trafficking etc.; international prosecution standards etc.)? Potentially, Nuffic could also help NURC to network and establish contacts in the realm of applied research related to genocide which could lead to a network of research contacts, international joint research projects, bilateral study exchanges, international roundtable discussions, specialized fora and conferences etc).

-As mentioned above, the relevance of JP Output 3 is not questioned. Likewise, the sustainability of the overall final result is ensured now that as mentioned achievement under this Output the policy for setting up the child registration mechanism has been finalized and is about to be enacted, with legal provisions likely to follow in the near future.

-There is also an activity to strengthen district justice coordination committees, which points towards the sustainability concern. This is a dimension the mission could unfortunately not investigate thoroughly to come to an independent judgment, since due to time constraints a field trip was not possible.

-There is a major concern regarding the sustainability of the abunzi mechanism. The concern is not about the capacity building support as such, but the overall mechanism itself, which might obviously have negative implications for the desired effect of the capacity building support. Since the abunzi mechanism has been overwhelmingly effective as below figures show, and at the same time the regular legal system is not coping too well with the increasing demand, the government has decided to heighten the threshold of accessibility to the regular court system and at the same system widen the scope and responsibility of the abunzi committees. Importantly, these measures include a. increased court fees (Ministerial orders No 001/08.11 of 11.02.2014 and No 002/08.11 of 11/02/2014 fix the deposit fees at 25,000 Frw  before  the Primary Court (up from 2.000 Frw), 50,000 Frw (previously 4,000 Frw) before Intermediate Court, 75.000 Frw before the High Court (previously 6,000) and 100,000 Frw before the Supreme Court, against previously 8,000 Frw);b. an expansion of abunzi committees to all cells and sectors; c. an increase of the litigious value of cases the abunzi committees are entitled to decide over from 3m to 5m Rwandan francs; and d. an extension of the area of jurisdiction beyond the immediate administrative circumscription (“The Mediation Committee at the Cell level shall have jurisdiction to determine any civil case relating to: 1º land and livestock as well as their successions; 2º any other movable and immovable assets where the value of the subject matter of litigation does not exceed five million (5,000,000) Rwanda francs and their successions; 3º a breach of contract between individuals, if the value of the subject matter of litigation does not exceed five million (5,000,000) Rwanda francs; 4º a breach of an employment contract between individuals if the contract value is less than one hundred thousand (100,000) Rwanda francs; 5º family issues other than those related to taking decision on civil status. Subject to the provisions of paragraph One of this Article, the Mediation Committee may hear cases falling outside its jurisdiction in case the Mediation Committee is submitted through mutual consent of parties”).

*Table 12 – Abunzi Achievement / absolute Figures (July 2012-May 2013& July 2013-June 2014)*

|  |
| --- |
| **ABUNZI ACHIEVEMENT JULY 2012-MAY 2013** |
| **Cases received**  | **Cases resolved** | **Referrals to Court** | **Remaining cases not treated** |
| **Civil** | **criminal** | **civil**  | **criminal**  | **civil** | **Criminal** | **Civil** | **Criminal** |
| 48,018 | 9,455 | 40,293 | 7,227 | 6,408 | 1,823 | 1,317 | 405 |
| 57,473 | 47,520 | 8231 | 1,722 |
|  |
| **ABUNZI ACHIEVEMENT JULY 2013-JUNE 2014** |
| **Cases received** | **Cases resolved** | **Referrals to Court** | **Remaining cases not treated** |
| **civil**  | **criminal** | **civil**  | **criminal**  | **civil** | **Criminal** | **Civil** | **Criminal** |
| 41,009 | 10,933 | 32,399 | 7,687 | 2,748 | 685 | 5,862 | 2,561 |
| 51,942 | 40,086 | 3,433 | 8,423 |

-While the desired effect here clearly is to reduce the pressure on the official system thereby increasing quality and case treatment rates while reducing backlog in courts, this systemic re-directing of a considerable number of cases towards the abunzi will put additional stress on a volunteer-based mechanism that was, in addition, just recently significantly reduced by a few thousand abunzi committee members whose slots were abolished prior to welcoming the latest cohort of committee members in the recent past.

-The risk here is of overburdening the abunzi resulting in over-stretched capacities that might lead to poorer quality of final decisions and/or attrition among staff. While it is acknowledged by the mission that for indigent individuals the procedures foresee that legal assistance is provided by MAJ or the bar association, there is no guarantee that all indigents will indeed file a case before official courts and end being provided free legal aid.

-Only time will tell whether the trend (as seen in comparing data of cases submitted to abunzi committees between 2012-2013 and 2013-2014) of a significant increase (from a total of 3% to 16%, with an increase from 3% to 23% for criminal cases) in cases where no final decision nor a referral took place will stabilize and continue or was just due to extraordinary circumstances that cannot be linked to any changes recently brought to the abunzi system and access to official courts.

*Table 13 – Abunzi Achievement / in % (July 2012-May 2013& July 2013-June 2014)*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Year** |   | **Resolved** | **Referred** | **Pending/****no action** |
| ***07/2012-05/2013*** | *civil* | 84% | 13% | 4% |
| *criminal* | 76% | 19% | 3% |
| *total* | 82.5% | 14.5% | 3% |
|   |  |  |   |   |   |
| ***07/2013-06/2014*** | *civil* | 79% | 7% | 14% |
| *criminal* | 70% | 6% | 23% |
| *total* | 77% | 7% | 16% |

*Abunzi committee delivering its decision*



*(Photo Credit: Picture taken by the Author of this Report; November 2015)*

**5.5 Early Impact**

-Overall, the JP is rated as having merited 10.8/15 points (or a “B” on a school grade scale of A to F with A being the best grade).

*Table 14 – JP’s Early Impact Rating (Score by Output and JP Average)*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| ***Criterion/******Dimension*** | **Output 1** | **Output 2** | **Output 3** | **Output 4** | **Output 5** | **Average** |
| *Early Impact* | 13 | 11 | 10 | 11 | 9 | 10.8 |

-Signs for early impact are most obvious under JP Output 2 where the capacity needed to autonomously deal with UPR reporting has already been built in a sustainable fashion, which fully qualifies this intervention for the status of a success story.

-The abunzi mediation mechanism to which the JP contributed via its capacity building support is another success story, for which the A2J JP can claim at least some success having provided skills training, production of reference materials etc. to the mediation committee members.

-In spite of its early stage and its inherent risks with regard to data security and related data protection issues, the IECMS has the potential to become a success story. Whether this will indeed come true is impossible to project at this stage.

-While the child registration system and related mechanism seems misplaced under the framework of this JP, it also has tremendous potential to become a success story especially if the inherent opportunities for human development and social protection (vaccination campaigns, education tracking etc.) are properly realized and capitalized upon.

-Other than the abunzi mediation committees, the CPC model is another candidate for a homegrown cost efficient mechanism to ensure order, the rule of law and security at the community level. The gender ratio seems to be almost 1:1 based on extrapolations building on figures provided by interviewees working as CPC members. There is potential to use CPCs for more pro-active crime prevention through an added role focusing on citizen sensitization at the grassroots level.

-Finally, the integration ofthe MAJ and One Stop Centres has all the ingredients to become a success story and even a model that can serve as international reference.

**6. Conclusive findings, lessons learned and recommendations**

**6.1 General findings**

-The following table provides an overview of how different JP Outputs fare with regard to the various evaluation criteria (1-5) and additional relevant variables and cross-cutting issues (dimensions 6-10). The ranking is based on the evidence gathered during the field visits, stakeholder interviews, the desk review and final analytical triangulation of all the data.

*Table 15 – JP’s Rating by Evaluation Dimension (Score by Output and JP Average)*

|  |
| --- |
| **Marks ranging from lowest (0 points) to a maximum of 15 points***(15/A+, 14/A, 13/A-, 12/B+, 11/B, 10/B-, 9/C+, 8/C, 7/C-, 6/D+, 5/D, 4/D-, 3/E+, 2/E, 1/E-, 0/F)* |
| ***#*** | ***Criterion/******Dimension*** | **Output 1** | **Output 2** | **Output 3** | **Output 4** | **Output 5** | **Average** |
| *1* | *Relevance* | 13 | 14 | 12 | 12 | 15 | 13.2 |
| *2* | *Effectiveness* | 12 | 14 | 6 | 9 | 12 | 10.6 |
| *3* | *Efficiency* | 12 | 14 | 8 | 6.5 | 11 | 10.3 |
| *4* | *Sustainability* | 10.5 | 12 | 5 | 9 | 12 | 9.7 |
| *5* | *Early Impact* | 13 | 11 | 10 | 11 | 9 | 10.8 |
| *6* | *Gender Sensitivity* | 14 | 15 | 8 | 12 | 14 | 12.6 |
| *7* | *HRBA* | 11 | 15 | 15 | 10 | 14 | 13 |
| *8* | *Capacity Building* | 12 | 12 | 6 | 10 | 13 | 10.6 |
| *9* | *RBM* | 10 | 12 | 5 | 7 | 9 | 9.6 |
| *10* | *DaO* | 12 | 14 | 4 | 9 | 10 | 9.8 |
| *GT* | *Average*  | 11.95 | 13.3 | 7.9 | 9.55 | 11.9 | 11.02 |

*(N.B.: Grades for Output 3 are linked to the general provision that this output should be removed altogether from the JP since it should logically be placed under Human Development/Social Protection.)*

-Whereas the overall JP scores a solid “B” grade (11 points), in order of scoring from highest to lowest grade, the sequence is Output 2 (“A-“/13.3 points), Output 1/ (“B+”/11.95 points), Output 5 (“B+”/11.9 points), Output 4 (“B-“/9.55 points), and finally Output 3 (“C”/7.9 points).

-The A2J JP’s relevance is (very) high with an average score of 13 points (“A-“), with 12 points (“B+”) for Outputs 4 and 3 the lowest score.

-Overall, the A2J’s effectiveness across all outputs is rated at an average of 10.6 points (which is the equivalent of the school grade of “B“). Output 1 and Output *5* score 12 points on effectiveness, respectively. While the overall management function (Output 5) in general dispensed of its tasks and responsibilities with due diligence (timeliness and respect of sequencing of managerial/coordination-related activities), the vast range of key actions and activities under Output 1 in general achieved planned results. Losses in points were accrued due to slight oversights in terms of coordination (potential synergies regarding sensitization and trainings on human rights and gender issues; parallel rather than coordinated discussions about required reference and research database on jurisprudence; data gender disaggregation not yet attained across the board) and missed opportunities for synergies, as well as (for Output 5) some issues related to the design of the results framework.

-Output 2, while tee-totaling against its defined performance indicators, “only” scores an average of 13.3 points as opposed to a perfect score since the UPR/treaty-related key actions and activities focus on procedural issues. In spite of the actual Output results statement honing in on the ultimate desired result of implementing Treaty Body and UPR recommendations, the design of the programme reserves a relatively minor component in terms of financial support to the actual implementation of recommendations and related monitoring (NCHR sub-component).

**6.2 Specific findings and lessons learned**

-While some might argue that CSOs should be given a much larger role in monitoring the UPR implementation, it makes sense to (also) support the NCHR given its constitutional mandate.

-There is an opportunity to create additional effect(iveness) by scaling up the successful practice of much-appreciated OHCHR supported trainings beyond the current, limited scope of such activities. It is recommended to increase the OHCHR team by at least one more experienced master trainer so that even Vice-Mayors (in charge of Economic Affairs) be trained in matters pertaining to human rights but also in terms of jurisprudence and best practices in terms of land tenure cases for which they serve as instance of appeal at the District level.

- The original reasoning for placing Output 3 under the A2J JP rather than linking it to related social protection and/or human development results areas was that the introduction of a birth registration mechanism would ensure that every new-born was ensured citizenship and the rights and privileges that come with it. Now that the policy-related upstream component has been addressed through a process outside the one originally foreseen, it is recommended this Output be moved to the UNDAP area of Human Development/Social Protection. As this output moves toward its implementation phase of systems design and roll-out, the interface with education (school enrolment etc.), health (vaccination coverage etc.) will take prominence for the upcoming generation of registered newly-born Rwandans. Removing this Output from the JP RRF and placing it under the Human Development Result area of the UNDAP would not only ensure a much more logical fit of this important but presently misplaced activity, but also allow for the A2J to sharpen the overall shape and scaffolding of its results chains.

-The relatively harsh composite mark of 9 points for Output 4 is due to serious flaws in the design of the CPC ToT results chain and related delays in rolling out the training.

-Also, a human rights sensitization component is missing from the training design and should be added to the on-going revamped training cascade design. Related training materials would need to be produced. This is an opportunity to enlarge the impact of OHCHR’s presence in the JP.

-Synergies could likely be realized by merging Outputs 2 & 4 into one new consolidated JP Output addressing the promotion of human rights in conjunction with reconciliation and national unity. The potential utility of the NURC-supported School Clubs should be investigated in view of using them as a conduit for other sensitization campaigns including social protection related issues (SGBV etc.).

- The actual NURC component under the output deserves a much more lenient rating than the composite score since it is not responsible for any issues related to the cascade training of CPC members.

-Coordination inputs have led to a best practice (integration of embedded advisor into machinery by converting UN contract into regular JS staff position) but also a worst practice (the placement of a foreign advisor in the Ministry who was suggested and effectively selected by the Dutch Government rather than directly by the IP and who ultimately failed to deliver the expected results since his skills set did not really match the tasks he was assigned by MINIJUST).

-There is room to scale up HR training interventions beyond the relatively limited number of key staff positions that receive training. Ideally, all JS staff would receive training on HRBA. It is thus recommended to scale up staff and/or master trainer levels at OHCHR and NCHR.

-It is worthwhile noting that the Dutch Embassy potentially stands ready for financing interventions to strengthen sustainability, as of mid-2017. Since the Dutch Embassy might switch back to programme/project earmarked support as opposed to wholesale budget support as of 2017, now would be the time to further engage the Dutch and other stakeholders through offering them a more active role in the JP governance organigramme that goes beyond their indirect role of observers through the sectoral working group mechanism of the JRLOS. For instance, the JP could offer a participatory status (if possible even with the right to comment) in the Steering Committee, especially if the above-mentioned collaboration in terms of academic exchanges via Nuffic and A2J JP IPs can come to fruition, or else, to help it come about.

-The CPC could play an even more important role of cost-efficient, non-invasive policing in the sense of securing neighbourhoods, through also using them for anti-crime prevention sensitization purposes, with the RNP not being present at the village level as such.

*-Gender Sensitivity*

* Overall mainstreaming ensured by UN Women across the board.
* High marks but still some potential for improvement especially in terms of feeding gender messages into CPC network and *abunzi* network.
* Also need to strengthen gender balance among the staff within the governmental gender machinery. Many if not actually the majority among the management staff the IC interviewed were women which might be indicative for (near) gender equality already having been attained in the JS.

*-HRBA*

* Already great impact in terms of enhanced processes such as UPR-related reporting etc. However, there is a risk of a negative bias in the activity profile regarding the actual implementation side of human rights related treaties etc., including related monitoring. Hence, there is a need to invest into actual implementation and sensitization which is currently slightly neglected in terms of scope and financial resources.
* Immense potential for scaling up successful OHCHR-led trainings beyond current focus on Judges and other assorted sub-categories; across justice sector (i.e., court staff, MINIJUST staff, abunzi, CPCs, Deputy Mayors at District level etc.); also potential to team up with CSOs as training providers (where necessary, build their capacity first via trainings, also consider cascade training approaches where it makes sense, building selected CSOs’ capacity up to master trainer level).

*-Capacity Building*

* Overall design geared towards strengthening enabling environment through capacity building.
* Building on achievements of predecessor programme, thus potentially linking into built capacities and enhancing them even further.
* Follow up with Dutch Embassy regarding tailor-made training at NUFFIC (not only for Prosecution but across the board; Output 5/MINIJUST Coordinator(s) to manage process of internal stakeholder consultations to submit a consolidated request for training and related capacity building measures including workshops etc.).
* Output 1 & 4: Prosecution, Fugitive Tracking Unit, NURC, NCFG (National Commission for the Fight against Genocide), and NCHR to discuss potential joint activity/-ies (international roundtable, South-South exchanges etc.) to overcome isolated planning processes and create critical mass; A2J could support such brainstorming event (idea: seed money to reach out to Ghana and South Africa, organize exchanges to culminate in international conference).
* Emerging issues (human trafficking etc.): Prosecution has some exposure to the area, CPCs etc. need to follow suit; task for coordination and potential new high impact activity, need to focus on preventive aspects (under suggested new JP Output 1 “Sensitization, Prevention and Mitigation” which would consist of pertinent activities of current JP Outputs 1 and 4).

*-RBM*

* Need to sharpen indicators. Linked to discussion about revamping results areas under RRF.
* IECMS and UNICEF Child Registration database both have huge potential re RBM/applied research butcome with inherent risks in terms of data protection. Potential role for CSO “watchdog” role under Human Rights-related JP Output.
* Gender and age disaggregation of data not yet fully ensured.
* Issues with results chain top-level indicators (availability of data; contribution vs. attribution).
* Top level data produced by governance agency: concern re potential bias.
* Steering Committee of JRLOS could play a more active part in monitoring A2J JP and other programmes, through increased involvement in mid-term review(s) and evaluations.
* Government systems to collect, analyze and report against indicators including data disaggregation by gender and social status of interviewees (“vulnerable groups”) needs to be strengthened since for the time being, proper data disaggregation is absent from reports.

*-DaO*

* UNDP is the leading agency in this regard; OHCHR and UN Women ensuring mainstreaming of gender and HRBA; and UNICEF addressing children’s rights-related issues through birth registration support.
* Among the four content-specific Outputs (i.e., not counting the management and coordination-related Output 5), all PUNOs were involved in Output 1, trailed by Outputs 2 and 4 with 2 PUNOs each, and Output 3 with a single UN agency being responsible for the interventions and related results. The Output for which all PUNOs were co-responsible, namely the first one, accounted for 5/11 JP key actions and 23/51 activities (45%), trailed by Output 2 (3 key actions and 16 (31%) of the activities), distancing Output 4 (2 key actions and 6 activities (12%) and the single agency Outputs 3 and 5 (1 key action, 3 activities (6%) each), by far.
* Looking at the proportion of single agency vs. joint agency activities provides a tentative proxy for the degree of “jointness” of a programme. In this respect, while all activities are not and should not be standardized in terms of financial weight, scope, duration, strategic pitch etc. this proxy is still a useful analysis. Not counting its three lead agency activities under Output 5, UNDP has 20 single agency activities which it is individually responsible for, representing 42% of the total number of activities, followed by UNICEF with 9 single agency activities (9%). UN Women only has one single agency activity and OHCHR, none. In terms of multiple agency activities, UNICEF has three, of which two are with UN Women and one with UN Women and UNDP. UN Women, other than the three just listed above, has two more it carried out jointly with UNDP and three together with UNDP and OHCHR. OHCHR has all of its 13 activities set up as joint activities, 9 of which with UNDP, three with UNDP and UN Women, and one more with UNDP. UNDP had a total of 16 multi-agency joint activities (2 with UN Women, 3 with UN Women and OHCHR, 10 with OHCHR, and one with UN Women and UNICEF). Hence, not counting Output 5 activities which make up JP management/secretariat functions and are governed by UNDP by definition, the ratio of joint agency activities vs. total number of activities involved in by agency is: UNDP 16/36 (44.5%); OHCHR 13/13 (100%); UN Women 8/9 (89%); UNICEF 3/12 (25%).
* Among the JP Outputs, Outputs 3 (and 5, by virtue of the lead agency role UNDP plays here) are single agency without any inter-agency activity. Output 4 has one joint activity out of a total six. Output 2 has 12 multi-agency activities among 16 activities, in total. Output 1 has 5/18 activities set up as inter-agency activities.
* Communication: Agencies are still playing quite an important role as opposed to One UN.
* Parallel funding as financial modality of the UNICEF-led JP Output oddly sticks out as not in tune with the overall approach of a Flagship One UN JP.
* Risk of crowding out UNICEF? There would have been potential for a much more active presence of UNICEF not only under Outcome 1 (children’s rights), but also in training CPCs on child protection and SGBV (cf. discussion whether One Stop SGBV treatment should be part of Social Protection or Governance/A2J JP). (N.B.: Following a strategic re-alignment, as of July 2015 the A2J stopped supporting SGBV related activities which were shifted to a social protection programme under UNDAP Result 3.)

**6.3 Recommendations**

Below follows a list of proposals for action to be taken (short to long-term) by the unit or organization responsible for follow-up in order of priority:

1. Immediate action: UNDP to engage UNICEF about where to shift Output 3 within UNDAP (action to be taken by UNDP in reaching out to UNICEF; if necessary with engagement of RC/RR);
2. Carry out a comprehensive study on how various modifications in policy and regulations will affect the workload on the *abunzi*, gauge possible impacts on quality of decisions, degree of satisfaction among *abunzi* members with their work, drop-out rates and possible additional incentives including honorific titles, medals, legal study opportunities etc. (immediate action required by UNDP under Output 1; follow-up: UNDP Governance Section, UNDP JP management unit, (technical focal point MINIJUST);
3. Revisit the type and extent of collaboration with JRLOS DPs to achieve the JP’s objectives specifically in terms of maximizing synergies in knowledge management and monitoring; e.g., through joint monitoring field mission, brainstorming roundtables with financial/technical support of donors (e.g. NUFFIC/Dutch Embassy) to discuss technical issues (such as link-up of government databases with IECMS and, for purposes of checks-and-balances, introducing an autonomous data protection entity including a potential watchdog/ombudsman function for CSOs);
4. JS entities to be consulted in order to map out interfaces and overlap to identify potential synergies and duplication of efforts in terms of applied legal research initiatives; design related integrated research/academic exchange plan to be submitted to potential donors (USAID, Giz/German Embassy, Israel, South Africa, Gulbenkian Foundation, Dutch Embassy etc.) including for catalytic funding (NUFFIC etc.); to be linked to action item above (UNDP JP management unit; follow-up with MINIJUST and other stakeholders under Output 1; in coordination with Dutch Embassy);
5. Revise JP organigramme and offer Development Partners as well as CSOs observer status with right to comment/provide input (UNDP to follow up via SC/Board; short-term action with long-term impact);
6. Consider moving genocide-related activities (Prosecution, Fugitive Tracking Unit) under Output 1 to Output 4’s NURC activities (thematic result logic rather than organizational logic); consult with various stakeholders concerned; even if no merger under a common JP output (no. 4) coordinate/facilitate discussion between GoR stakeholders about conceiving and implementing genocide-related research and/or a related international conference (Output 5; MINIJUST (JP focal point), UNDP JP management and UNDP Governance Unit);
7. Strengthen A2J JP’s crime prevention impact under Output 4 by adding pro-active anti-crime sensitization activities to CPC via related capacity building module through upgrading skills of existing cascade trainer pool at village level; need to design/develop related training materials, first (action: UNDP; mid-term);
8. Consider setting up new stand-alone Output with focus on crime prevention (“Crime prevention and mitigation”) and link to activities with focus on prevention/mitigation rather than “ex post” centered activities (prosecution etc.) under current JP Output 1; as indicator, check with RNP about newly designed indicator based on crime statistics, drop perception based crime indicator from current JP Output 4; alternatively, keep RNP activities under Outcome 4 but add JP Output or outcome level indicator based on crime statistics indicator (RNP to calculate baseline for new indicator combining data for key crime categories likely to be affected by CPC, namely i. spousal homicide, ii. harassment of spouse, iii. rape, iv. child abuse, and v. GBV/conjugal assault and battery (which would require splitting current variable “Assault and Battery” in data collection tools and processes; if not possible to disaggregate currently existing data for v. use guesstimate for this component (action: further discussions between UNDP and RNP; also consult with other PUNOs and Prosecution; immediate action required);
9. Follow-up with RNP to check consistency and viability of revised CPC training cascade; check budget for related cascade training model; document and “mine” three iterations of cascade model approach as case study for knowledge management purposes across the UNDAP about do’s and dont’s of cascade designs (RNP/UNDP; mid-term horizon);
10. UNDP, NCHR, OHCHR and RNP to convene special coordination meeting in order to design scale-up strategy for human rights training and related staffing and funding needs;
11. Consider research study about introducing mobile courts to reduce backlog, if applicable (JPOutput1);
12. In order to sharpen SMART-ness of indicators sift through various Governance surveys(RGS etc.) including lower level as proxy indicators (UNDP/Output 5; immediate action: UNDP Governance Section, UNDP JP management unit, (technical focal point) MINIJUST);
13. Check with NURC if and how data disaggregation of Reconciliation Barometer can be strengthened through technical JP support which wouldn’t need to be costly if existing in-house capacity of the M&E working group, the Governance Unit of UNDP, MA UNDP staff etc. could be mobilized to review the tools and processes and provide related advice on how to render them more inclusive. (By extension, the JP/NURC might also want to reach out to the independent para-statal body responsible for producing the RGS which also falls somewhat short in terms of inclusive data disaggregation with only some but not all graphs and figures in the RGS 2014 and RRB 2015 (draft version) being presented by gender, socio-economic background, age etc.);
14. SC/Board to alter or amend JP doc (RRF etc.) in line with changes (elimination, change or addition of elements) that can be agreed on and which require modifying or adding annexes to JP (UNDP CD & UN RC/RR).

**7. Annexes**

**7.1 Agenda**

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| ***PROMOTING ACCESS TO JUSTICE, HUMAN RIGHTS AND PEACE CONSOLIDATION IN RWANDA******AGENDA******MID-TERM PROGRAMME EVALUATION*** ***(09 – 25 November 2015 / Kigali, Rwanda)*** |

**Monday, 2 November –Wednesday, 4 November 2015**

* *Home-based preparation of Inception Report; review and in-country mission clearance by UNDP*

  *--- ARRIVAL (Sunday, 8 November 2015---*

**Monday, 9 November 2015**

08.30-09.10 Jean de Dieu Kayiranga, A2J Programme Manager and Eugenie Musabyeyezu, A2J Programme Associate: Introduction to the A2J Programme and the Evaluation

09:10-09.50 Ms Nadine Rugwe, Head of Governance Unit: Overall guidance on the conduct of the Evaluation

10.00-11:00 Stephen Rodriques, Country Director and Co-Chair of DRG2

11:30-12.30 Salma Al Hag Youssif, Head MSU: Overall guidance on the conduct of the mid-term evaluation; and reporting/M&E data quality issues

14.00-15.00 Stijn Houben, CSO programme manager, on synergies between A2J, DDAG and CSO programme

15.00-16.00 Chris Mburu, Human Rights Advisor (OHCHR): OHCHR Contribution to A2J

16.00-17.00 George Otoo, RCO: UNDAP and JP-internal programming and governance context (funding arrangements) & donor landscape

**Tuesday, 10 November 2015**

09.15-10.30 Floride Tuyisabe & Damascene Gasanase; NURC Project Focal Points

10.45-11.30 Johnson Mugaga, Executive Secretary (NURC)

14.00-15.00 Madeleine Nirere (Chairperson) and Emeritha Mutuyemaliya, Secretary General, NCHR

15.00-17.00 Claude Niwe & Josephat Byukusenge; NCHR Project Focal Points

**Wednesday, 11 November 2015**

08.30-9.30 ACPVincent Sano, Commissioner for Administration and Finance & Chief Budget Manager

09.30-12.30 SP Alex Fata Kayijamahe& Emmanuel Macumu; RNP Project Focal Points

14.00-15.00 Ms Isabelle Kalihangabo, Permanent Secretary, MINIJUST

15.00-17.30 Mr. Gervais Twahirwa, JRLO Secretariat, Access to Justice & Legal Aid, ICT and Human Rights Dept. at MINIJUST; Anastase Nabahire (Corporate Budget, ICT and M&E Services) & Zacharie Harelimana (Integrated Case Management System focal point)

17:45-19:30 Mr. Johnson MUGAGA, Executive Secretary (ES) NURC

**Thursday,12November 2015**

08.30-10.00 Bringing final changes to Inception Report based on comments received

14.30-16.30 Isabelle Kalihangabo, Solicitor General/Permanent Secretary of the Supreme Court

16.30 -17.00 Martine Urujeni, Community Justice Division/MINIJUST

**Friday, 13 November 2015**

08.30-09.00 Eugenie Musabyeyezu (Programme Associate - A/F A2J JP) re financial analysis (overview table)

09.00-10.00 Judy Wakahiu, DDAG Programme Manager; on synergies between Governance JPs

14.30-15.15 Andrews Kananga, Director/Legal Aid Forum

15.30-17.00 Odette Yankulije (Chief A2J Department MINIJUST/Principal State Attorney), Monsieur Daniel (Planning Chief)

**Monday, 16 November 2015**

* + - 1. Clara Anyangwe, UNWOMEN Representative a.i. UNWOMEN:

 Contribution to A2J / Co-chair of DRG2; Janvière Mukantwali (UN

 Women focal point for A2J JP); Shadrack Dusabe (National PO in

 charge of UN Women Programmes)

11.30-12.30 François Mugabo, Social Protection Officer, UNICEF

15.00-17.30 Mr. Jean Damascene Habimana, SG NPPA/ICU Directorate; Int’l Crimes Chief Prosecutor Mr John Bosco;and National Prosecutor and Head of Genocide Fugitive Tracking Unit (John Bosco Siboyintore)

**Tuesday, 17 November 2015**

08.30-18.00 Data analysis; designing detailed structured of final report

**Wednesday, 18 November 2015**

09.00-09.30 Discussion re financial analyses (with Eugenie Musabyeyezu& Salma Al Hag Youssif)

11.00-12.30 Vasco Rodriguez, First Secretary at the Embassy of the Netherlands

14.30-16.30Providence Umurungi (MINIJUST/A2J focal point UNDP A2J JP Coordination focal point at MINIJUST

**Thursday, 19 November 2015**

08.45-11.45 Field Visit 1: MAJ visit / Bumbogo Sector (w. MINIJUST’s Providence Umurungi and MAJ Gasabo’s SGBV staff Espérance Mugenzi): Discussion with 8 abunzi committee members (appeal level) and family of beneficiaries/abunzi committee clients

13.30-16.00 Field Visit 2: Community Policing (Kicukiro); Emmanuel Macumu & Chief Inspector Police Jean-Claude Kabandana; discussion with 8 village level Community PolicingCommittee members and cell level CPC Principal (cell’s Executive Secretary)

**Friday, 20 November 2015**

08.30-09.00 Drafting of Report

09.30-11.00 Meeting with RNP’s Chief of Community Policing, ACP Damas Gatare, in presence of SP Alex Fata Kayijamahe and Emmanuel Macumu, about outstanding issues

11.30-12.00 Discussion with UN Women’s Janvière Mukantwali about SGBV (legal issues versus social protection etc.)

**Saturday, 21 November 2015**

09.00-18.00 Drafting of Report

**Sunday, 22 November 2015**

09.00-18.00 Drafting of Report

**Monday, 23 November 2015**

08.30-15.00 Drafting of Report

15.00-16.00 Finalisation and submission of the first draft of the Mid-term evaluation Report; presentation of the findings to the A2J Technical team

16.00-18.00 Inclusion of comments from the technical meeting

**Tuesday, 24 November 2015**

09.00-10.00 Finalisation of the integration of comments and submission of the draft

 report to the Country Director

10.00-11.00 Final Debriefing with UNDP Technical Team, MSU and Governance

 Unit

11.00-12.00 Debriefing with UNDP Country Director

**Wednesday, 25 November 2015**

09.00-12.30 Final debriefing session with UNDP project and evaluation management members and IP representatives

 *--- DEPARTURE (evening, 25 November 2015)---*

**By Friday, 4December 2015**

 Final amendments (integration of comments etc.) based on consolidated feedback received from stakeholders during review phase

 (Nov 25-Nov 30, 2015) of final draft report; submission of final version of evaluation reportin December 2015

**5.2 List of persons interviewed, sites visited**

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| ***#*** | **Institutional affiliation** | **Name** |  **Function/title**  |
| 1. *Independent Government Entity (JRLOS)*
 |
| 1 | MINIJUST | Isabelle Kalihangabo | Solicitor General/Permanent Secretary of the Ministry of Justice |
| 2 | MINIJUST | Gervais Twahirwa | Corporate Budget, ICT and M&E Services |
| 3 | MINIJUST | Anastase Nabahire  | JRLO Secretariat, Access to Justice & Legal Aid, ICT and Human Rights Department |
| 4 | MINIJUST | Zacharie Harelimana | Integrated Electronic Case Management System focal point |
| 5 | MINIJUST | Martine Urujeni | Community Justice Division Manager |
| 6 | MINIJUST | Providence Umurungi | A2J JP Coordination focal point at MINIJUST  |
| 7 | MINIJUST | Odette Yankulije | Chief A2J Department MINIJUST/Principal State Attorney |
| 8 | Supreme Court | Mr. Daniel | Planning Chief |
| 9 | MINIJUST/MAJ | Espérance Mugenzi | MAJ Gasabo; SGBV Officer |
| 10 | NPPA | Jean Damascene Habimana | SG NPPA/ICU Directorate |
| 11 | NPPA | John BoscoMutangana | Int’l Crimes Chief Prosecutor (ICU Director) |
| 12 | NPPA | John Bosco Siboyintore | National Prosecutor and Head of Genocide Fugitive Tracking Unit |
| 13 | NURC | Johnson Mugaga | Executive Secretary NURC |
| 14 | NURC | Floride Tuyisabe | Researcher, A2J project focal point |
| 15 | NURC | Damascene Gasanase | Admin-Finance Officer, A2J project focal Point |
| 16 | NCHR | Madeleine Nirere | Chairperson NCHR |
| 17 | NCHR | Emeritha Mutuyemaliya | Secretary General, NCHR |
| 18 | NCHR | Claude Niwe Rukundo | Director of Planning |
| 19 | NCHR | Josephat Byukusenge | NCHR Project Focal Point |
| 20 | RNP | Damas Gatare | Commissioner for Community Policing (ACP) |
| 21 | RNP | Vincent Sano | Commissioner for Administration and Finance & Chief Budget Manager (ACP) |
| 22 | RNP | Alex Fata Kayijamahe | Director A2J Project Management/ RNP (SP) |
| 23 | RNP | Emmanuel Macumu | RNP Administrative and Financial Assistant (A2J JP’s Admin-Finance focal point) |
| 24 | RNP | Jean-Claude Kabandana | Chief Inspector Police |
| 1. *JRLOS community level support mechanisms*
 |
| 25 | Abunzi | N.N. (focus group) | 7 cell level abunzi members (Bumbogo) |
| 26 | (Abunzi) | N.N. (focus group) | Abunzi clients/primary beneficiary and her family |
| 27 | CPC | N.N. (focus group) | 8 village level CPC members & 1 cell level CPC Principal (Kicukiro) |
| 1. *NGOs / CSOs*
 |
| 28 | Legal Aid Forum | Andrews Kananga | Director of Legal Aid Forum (LAF) |
| 1. *Development partner/donor community*
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| 29 | Dutch Embassy | Vasco Rodriguez | First Secretary at the Embassy of the Netherlands |
| 1. *PUNOs*
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| 30 | OHCHR | Chris Mburu | Human Rights Advisor (OHCHR) |
| 31 | UNDP | Stephen Rodriques | UNDP Country Director and Co-Chair of UNDAP DRG2 |
| 32 | UNDP | George Otoo | RCO Advisor |
| 33 | UNDP | Salma Al Hag Youssif | Head MSU |
| 34 | UNDP | Nadine U. Rugwe | Head, UNDP Governance Unit |
| 35 | UNDP | Jean de Dieu Kayiranga | UNDP, Programme Analyst/A2J JP Programme Manager |
| 36 | UNDP | Ms Eugenie Musabyeyezu | UNDP, A2J Programme Associate |
| 37 | UNDP | Judy Wakahiu | DDAG Programme Manager |
| 38 | UNDP | Stijn Houben | CSO Programme Manager |
| 39 | UNICEF | François Mugabo | Social Protection Officer, UNICEF |
| 40 | UN Women | Clara Anyangwe | UNWOMEN Representative a.i.; Co-chair of DRG2 |
| 41 | UN Women | Shadrack Dusabe | NPO, Head of Programmes |
| 42 | UN Women | Janvière Mukantwali | UN Women focal point for A2J JP |

* 1. **Reference literature and documentation consulted**

The detailed, comprehensive list of key literature and reference material to be consulted comprised the following documents:

1. Republic of Rwanda, Rwanda Vision 2020
2. Republic of Rwanda, Economic Development & Poverty Reduction Strategy (2013 – 2018), September 2013
3. Republic of Rwanda, Annual Progress Reports on the implementation of the Economic Development and Poverty Reduction Strategy (EDPRS) – 2008
4. Rwanda Governance Score Card; for years 2012 and 2014
5. United Nations Rwanda, One UN ‘Delivering As One’ in Rwanda Concept Paper, April 2007
6. United Nations Rwanda, One UN Programme Rwanda, Common Operational Document (2008-2012)
7. United Nations Rwanda, Communication Strategy
8. United Nations Evaluation Group (UNEG), Evaluability Assessment of Delivering as One Pilots, Assessment Report on Rwanda, March 2008
9. UNEG Standardsfor Evaluation in the UN System (April 2005)
10. UNEG Norms for Evaluation in the UN system (April 2005)
11. UNEG Ethical Guidelines for Evaluations
12. United Nations Rwanda, Annual Reports “One UN Rwanda” 2013 & 2014
13. United Nations Rwanda, Stocktaking report 2008 & 2009 for Delivering as One in Rwanda
14. United Nations & Republic of Rwanda, Country-led Evaluation of the Delivering As One, 2010
15. The Independent evaluation of DaO in Rwanda (2011)
16. A2J project documents
17. Annual JP review/progress report 2013-2014
18. Annual progress report 2014-2015 (alternatively: semi-annual report and/or quarterly reports, if available)
19. Results Oriented Annual Report / ROAR (2014; 2013)
20. End of Programme Evaluation of the Support to Access to justice for all, the Foundation for Good Governance and Poverty Reduction, Rwanda (2008-2013)
21. Governance outcome Evaluation
22. JRLOS strategic Plan 2013-2018
23. Joint Sector Review Report for the Justice Sector (2013-2014, 2014-2015)
24. Documentation of 20 years of Reconciliation (NURC)
25. 2015 UPR report for Rwanda (CSO, NCHR, UN Compilation, GoR)

In addition to the above, relevant web links, studies, and survey and evaluation reports such as the RWANDA Demographic and Health Survey Reports (2010 and 2014-2015 RDHS), the Integrated Household Living Condition Survey (2007-2008; 2014) and sectoral studies and evaluations were consulted; as well as UNDP’s official checklist for the assessment of evaluation reports, and the official UNEG evaluation literature including “Standards for Evaluation in the UN system” etc.

**5.4 Management Arrangements**

The management arrangements for the evaluation were as follows:

* The IC was contracted by UNDP on behalf of the Government of Rwanda and the UN Agencies.
* Overall, the evaluation was managed by the One UN (UNDP) in collaboration with a review panel made of representatives of implementing agencies.
* The A2J mid-term Programme Evaluation process was carried out under the auspices of its Steering Committee, which will provide overall guidance and direction for the review process, as applicable.
* A Technical Committee, led by the A2J Programme Manager comprised of the programme’s implementing partners’ representatives, supported the process at the technical level and provide regular reports to the A2J Steering Committee.
* The Chief of the Management Support Unit provided technical oversight, quality assurance and guidance to the evaluation to ensure it meet the UNEG evaluation quality criteria.
* UNDP as the focal point for the evaluation facilitated the logistical requirements for consultant including setting up interviews, field visits, and payments for the consultant.

Comments from the Steering Committee and stakeholders were to be provided within 5 days after receiving the Draft Report. The draft report was to be reviewed to ensure that the evaluation met the required quality criteria. The final report was to be finalized within 5 days after submission of a consolidated version of final comments on the draft final report; to subsequently be submitted through the UNDP Country Director to the A2J Programme Steering Committee for final validation.

The following MTR implementation schedule was initially suggested:

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| **Activity** | **Deliverable** | **Time allocated** |  |
|  Evaluation design, methodology and detailed work plan (Days 1-3) | *Inception report* |  *3 days (home-based/* *outside Rwanda)* |  |
| Inception Meeting Initial briefing (Day 4) | *Draft mid-term evaluation report* | *12 days (Rwanda-based)* |  |
| -Documents review and stakeholder consultations/IP visits (specific calendar of |  |
| possible meetings to be developed together with UNDP during first 3 days of stay in Rwanda); continuous iterative data collation, preliminary triangulation and analysis (Days 5-12) |  |  |
| -Final data analysis and triangulation, report writing (draft final report) (Days 13-14) |  |  |  |
| -Debriefing and presentation to various constituencies of draft Evaluation Report, in  one joint session or several meetings (Day 15) |  |  |  |
| Steering Committee and stakeholders to review draft final report and provide official Comprehensive specific feedback within 5 days after receiving the Draft Report |
| Finalization of Evaluation report incl. finetuning of analysis, editing, incorporating additions and comments provided by all stakeholders and submission to UNDP on behalf of the UNCT Rwanda (Days 16-20) | *Final mid-term evaluation report* | *5 days (home-based/outside Rwanda)* |  |
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| Total number of working days |  | *20 days* |  |
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| **Annex 7.5–Mid-Term Evaluation Matrix** |
| ***Evaluation criteria*** | ***Key Questions (and sub-questions)*** | ***Indicator(s)/******Measures of Success*** | ***Data Sources/******Means of Verification*** | ***Data Collection Method(s)/Tool(s)*** | ***Method(s) for Data Analysis*** |
| **A. Relevance** (JP’s design and focus) | -Does the programme continue to be relevant to the GoR priorities in governance?-Is the JP contributing to achieving systemic transformative change as measured and reflected by top level national and sectorial (and UNDAP) outcome/impact level indicators? And if so, to what extent? | -Qualitative metrics incl. population’s perception of and degree of satisfaction with services rendered, knowledge about them etc.:*-% of public confident with the justice system (disaggregated by age and sex) at all levels* *- % of Adult population with confidence in the respect for human rights, political rights and civil liberties*-Degree of conflict sensitivity (is the programme design and/or implementation set-up conflict sensitive?) | -EDPRS2; JRLOS; key informants (MINIJUST and general JRLOS; MINECOFIN) ; stakeholder perception/opinion re any possible negative effects (conflict sensitive?)-Desk review of related keyliterature (key strategic JRLOS documents; ProDoc etc.) | -National statistical data sets such as household and living standards survey etc.; JGA, RGS, RRB and other related research reports/initiatives-Key informant interviews-Mapping of results chains to assess degree of articulation and alignment of JP outputs with UNDAP outcome and JRLOS and EDPRS2 strategic pitch-Programme/policy mapping to identify similar or related programmes (contribution/attribution of results; gap analysis; synergies) | -Data triangulationacross different data sources: type of data (quantitative/qualitative; i.e. statistical data from various reports or surveys etc. vs. oral data from stakeholder interviews -Critique of ToC underlying design of results chain (still relevant? holding up against RBM logic etc.?) |
| ***Evaluation criteria*** | ***Key Questions (and sub-questions)*** | ***Indicator(s)/******Measures of Success*** | ***Data Sources/******Means of Verification*** | ***Data Collection Method(s)/Tool(s)*** | ***Method(s) for Data Analysis*** |
| **B. Effectiveness** (The management processes and their appropriateness in supporting delivery) | -Is the programme management strategy effective in delivering desired/planned results?-Is there a suitable M&E framework to monitor and support the implementation of the targeted results? -Are the strategies and tools used in the JP’s implementation effective? -Is the programme effective in responding to the needs of the beneficiaries, and are there any tangible results, so far?-To what extent are the stated outcomes and outputs for the A2J Programme on track? -To what extent have the A2J results so far contributed to the UNDAP and EDPRS 2 results in the area of Foundational issues related to Rule of Law? -What factors have contributed to achieving or hindering achievement of the intended outputs and outcomes? -Did the strategy adopted and inputs identified prove realistic, appropriate and adequate for achievement of the results? -Has the partnership strategy been appropriate and effective? -To what extent has One UN support contributed to the achievement of the results? -JP/DaO-related value-added in terms of effective application and mainstreaming of UN Programming principles, partnerships leveraged, responsiveness to change in external needs and requirements, effectiveness and efficiency of governance structure, critical mass (strategic pitch; catalytic effect; leverage?) | -Qualitative data-Various performance indicators as reflected in results framework and/or M&E matrix (JRLOS, UNDAP, A2J JP, CCPD etc.); against these metrics, collect/collate/map historical and most recent monthly/quarterly/yearly progress data (“as is”/status quo to measure actual performance delivery at activity/output level and effect at higher result level (JP Output, UNDAP outcomes etc.): number of milestones reached or surpassed etc. and reasons for actual performancerealized/results achieved | -Key informant interviews-Desk review of implementation and review reports (incl. PUNO and IP reporting, JP consolidate progress reports, UNDAP/DaO-related reviews of JP implementation etc.) | *-*Quantitative analysis of A2J JP performance indicators-Mapping of geographical and time spread-Semi-structured interview guidelines and questions-Tools for tracking and assessing performance of cross-cutting issues-Ranking tool (Likaert scale) | -Trend curves mapping data-Triangulation of data across respective types, categories and data sources |
| ***Evaluation criteria*** | ***Key Questions (and sub-questions)*** | ***Indicator(s)/******Measures of Success*** | ***Data Sources/******Means of Verification*** | ***Data Collection Method(s)/Tool(s)*** | ***Method(s) for Data Analysis*** |
| **C. Efficiency** (of Programme Implementation) | -Are the intervention strategy, related modalities and the implementation process achieving results efficiently? - Did the actual or expected results (outputs and outcomes) justify the costs incurred? Were the resources effectively utilized? -What factors are contributing to implementation efficiency? -Do the programme’s activities overlap and duplicate other similar interventions (funded nationally and /or by other donors? -Are there more efficient ways and means of delivering more and better results (outputs and outcomes) with the available inputs? -Are there specific indications for reduced transaction costs due to the adopted JP governance and implementation mechanisms incl. financial/general management? And conversely, did transaction costs increase in specific areas or not? If so, do gains outweigh losses; in other words, is the JP/DaO approach worth it?-Were DaO principles applied to the letter and if not, why so? Is there room for enhancing DaO and thus, overall JP efficiency and effectiveness?-Could a different approach (other than JP modality, specific design of results chains in terms of focus/substance/strategic pitch etc.) have produced better results? -Is the program management structure operating effectively, producing efficient results and synergies (in terms of reduced transaction costs etc.)? -How efficient are the management and accountability structures of the programme? -Are there issues related to the NEX/DEX (or NIM/DIM) question?-Has the parallel funding arrangement generated hoped-for efficiencies? Or is it disrupting the overall financial implementation of the JP as well as its general degree of cohesion?-Are there any concerns regarding the MA/pool fund arrangement and if so, what are they?-How did its financial management processes and procedures affect the programme’s implementation? -What are the strengths, weaknesses, opportunities and threats of the programme’s implementation process? | -Absorption rate of allocated (estimated and/or effectively available) funding by JP output and strategic activity-BOS/DaO SOPs-related metrics of operational performance and robustness | -JP progress reports (monthly, quarterly, annually)-JP ProDoc-PUNOs corporate integrated admin-finance data management systems (ATLAS etc.)-“Historical” evaluations of 1st generation DaO interventions  | -Financial expenditure analysis; also, and especially, in relation to the actual implementation progress against planned results (measured by respective performance indicators) = Analysis of financial data (expenditure/absorption rate etc.): budget allocations, expenditure/by agency/by category of expenditure/by JP Output/by JP activity; all by year and cumulative total-“Jointness” mapping along results chains and related BPR-inspired analysis of operational coordination and disbursement mechanism *-*Tailored interview questions to different groups and categories of key informants (GoR IP and PUNO senior managerial and technical JP Programme and A/F staff etc.); incl. individual interviews and focus group discussions | -Calculating quantitative efficiency metrics (input vs. output and relative cost)-Comparative inquisitive analysis guided by cost effectiveness concerns (cf. related key questions)-Cross-country/regional comparison of costs for similar activities (per unit of output and according to scope/scale) |
| ***Evaluation criteria*** | ***Key Questions (and sub-questions)*** | ***Indicator(s)/******Measures of Success*** | ***Data Sources/******Means of Verification*** | ***Data Collection Method(s)/Tool(s)*** | ***Method(s) for Data Analysis*** |
| **D. Sustainability**(of JP’s general implementation structure, modalities and processes, in the long run) | -To what extent are the benefits of the programme likely to be sustained after the completion of the JP? -What is the likelihood of continuation and sustainability of the programme outcomes and benefits after completion of each of the JP? -How effective are the exit strategies, and approaches to phase out assistance provided by the programme including contributing factors and constraints? -What are the key factors that will require attention in order to improve prospects of sustainability of the JP’s outcomes and the potential for replication of the approach? -How are capacities strengthened at the individual and organizational level (including contributing factors and constraints)? -What are the main lessons that have emerged from the implementation of the JP, so far?-What are the recommendations for similar support in future?-How keen are donors on providing further and/or future funding, i.e. both during and beyond the current 5-year programme implementation cycle?-Are GoR IPs committed and “own” the programme? To what degree do they display a sense of commitment and ownership and is there any tangible proof for this that can serve as evidence? | -Qualitative contextual data and high level indicators on political and social stability, economic development etc. (foundational issue indicators’ meta-analysis)-Review of capacity building related results (cf. related indicators’ progress in light of a parallel discussion of the SMARTness of these metrics) | -Key informants (IP/GoR, NGO/CSO community, PUNO JP staff)-Strategic documents (JP ProDoc)-UNDAF and UNDAP/DaO reviews-Donor community (Development partners) | -Analysis of risk log and phase-out plan/exit strategy-Gender and social inclusion analysis-Document Review -Key informants at IP level and among stakeholder institutions (incl. PUNOs), INGOs etc.-Direct observation (visual evidence?) | -Projection tool beyond end of JP implementation period (synergy with analysis of effectiveness dimension)-Triangulation of qualitative data from various sources (based on desk review and discussions) |
| ***Evaluation criteria*** | ***Key Questions (and sub-questions)*** | ***Indicator(s)/******Measures of Success*** | ***Data Sources/******Means of Verification*** | ***Data Collection Method(s)/Tool(s)*** | ***Method(s) for Data Analysis*** |
| **E. Early (indications for potential) Impact**  | -Are there any indications for (potential) impact triggered by the A2J JP?-Have there been any (potentially) quick-impact game changing effects that can be directly or indirectly linked to the JP (attribution or contribution/indirect effects via catalytic chain of events that were willingly or unwittingly triggered by A2J interventions)? -What has been the impact of the programme on the MDGs and its future contribution to the SDGs, in particular SDG16/*Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*, but also SDG5/*Achieve gender equality and empower all women and girls* (and possibly SDG10/*Reduce inequality within and among countries*)? | -Qualitative evidence-Observational data-High-level results and statements and indicators (incl. MDGs and SDGs) | -Key informant interviews-If applicable, also national data sets (DHS etc.) | -(Early) Impact screeningand peace building and social cohesion-MSC (most significant changes) garnered from formal and informal (key informant or beneficiary) interviews and desk review | -Systematically sifting through body of literature to extract concrete evidence/human interest stories-Analysis of narrative/qualitative data collected through key informant interviews-If applicable, triangulation of qualitative with quantitative data |

**7.6 Potential Risks, anticipated Challenges & suggested related Risk Management**

 **Strategy (as per Inception Report, i.e. prior to mission)**

The following list of potential risks or challenges that the mission might be facing concentrate on factors that might hinder the smooth implementation of the data collection and analytical work foreseen for the in-country phase. It is hoped that only very few of the below factors will actually present themselves, and at a very limited scale, at that. However, experience shows that there is need for a detailed contingency plan. Hence, the various items all come with a number of related risk management strategies attached to them.

1. *Risk or Challenge:* No or incomplete status quo (or baseline) data available and/or no clear indication of data source or responsible data provider, milestones, year the baseline data (as opposed to report/publication) is from etc.) especially for higher level qualitative metrics. Concern regarding evaluability of high-level indicators (A2J JP Output level); and potentially even related UNDAP outcomes should similar issues occur, or even prevail, across the board.

*Risk Management Strategy:* If clarifying issues mentioned is not possible, design proxy indicator and collect related data; triangulation and deductive tentative data reconstruction (“connecting the dots” in interrupted time series trend curves etc.); extrapolating from partial (geographically/space-wise or chronologically/time-wise) incomplete data against specific indicators; if spottiness of district and/or time series data too severe thus rendering general extrapolation impossible, data would need to be sifted through to see if robust data clusters can be identified allowing for limited samples of miniature case studies.

1. *Risk or Challenge:* Available estimates for given indicator as provided by different stakeholders or available in data sources are showing a (very) wide array of distribution.

*Risk Management Strategy:* Cross-checking and calibration in view of data sources’ specific margins of error and respective congruence or lack thereof, or rectification by elimination of specific data sets if seen as lacking in data quality and reliability.

1. *Risk or Challenge:* Results chain and/or related ToCs might be shaky or skewed.

*Risk Management Strategy:* Suggest tweaking of indicators and, where necessary, of results (statements).

1. *Risk or Challenge:* No time for field visits might prevent gathering “the people’s voice” given assumed differences between Kigali/the Capital and rural areas.

*Risk Management Strategy:* Invite civil society to the Capital and/or gather them for meetings; visits to outskirts of Kigali could also be undertaken.

1. *Risk or Challenge:* Cross-cutting issues such as institutional capacity building and gender equality and women’s empowerment might suffer from not gaining requisite breadth and width of the analysis, given that mainly institutions will be visited, not leaving enough time for meeting with and interviewing ultimate end beneficiaries (esp. of the most disadvantaged).

*Risk Management Strategy:* Rely on existing qualitative and quantitative data available in reports and from IP and UN programme staff, and NGO/civil society personnel. In addition, to alleviate this potential blind spot, some field visits to the outskirts of Kigali could be organized so as to meet with direct beneficiaries.

1. *Risk or Challenge:* Brevity of in-country mission might prevent IC from meeting with all relevant stakeholders due to schedule coordination constraints on part of foreseen interlocutors and/or IC’s availability for individual meetings.

*Risk Management Strategy:* A related counter-strategy could consist in lumping meetings into sub-categories of stakeholders with similar profile/areas of concern and intervention etc.; and also scheduling key meetings that would otherwise not be possible, to take place during week-ends.

1. *Risk or Challenge:* Interlocutors might not be available at all during mission.

*Risk Management Strategy:* Writing might be an option if interlocutors are physically not available but can be reached by e-mail or skype; if they have no time during mission but could comment on draft report, this opportunity could be seized upon to gather feedback from these otherwise absent stakeholders, as well, in the interest of inclusiveness and ownership of the MTR’s final findings and recommendations.

1. *Risk or Challenge:* If feedback is not provided on time but keeps trickling in way after the stipulated deadline, there is a risk of such late-coming input delaying the process beyond the agreed-upon timelines, or of antagonizing stakeholders whose late comments were not included in the final product submitted by the IC in line with the official schedule.

*Risk Management Strategy: S*takeholders need to be clearly told that there is a well-defined finite window of opportunity for them to provide feedback, and that there is absolutely no room for negotiation in terms of accepting late input.

1. *Risk or Challenge:* Available financial data presented across various levels of reporting might not sum up. For instance, initial ProDoc planning figures might not be reflected in actual yearly planning figures (cf. following text where the evidence collected so far seems to indicate that as of year 1, JP budgeting figures against JP outputs were adjusted downwards). Also, unless already available, current (year 2014-2015 and/or Q3-2015) updated financial expenditure data needed for efficiency analysis might not be processed quickly enough and might thus not be available in time, thus preventing the IC from including such related analyses in the report.

*Risk Management Strategy:* UNDP staff could carry out the analysis, themselves, and insert it into the final analysis, accordingly (should support be needed in devising a strategy how to do this, the IC could provide necessary guidance).

**Financial Analysis / Reference Tables (Sample of potential Challenge re Data Consolidation)**

The tables shown below stem from pg. 26 of the Consolidated 2013-2014 A2J JP Progress Report (1st table/”Annex 1-Programme Budget per Output (To be updated)”) and pg. 31 of the A2J JP ProDoc, respectively (2nd table/”8.1 Budget summary per output”). This confrontation shows differences in the financial volume of annual budget lines against the specific JP outputs, as well as in the total budget amount for year 1 of the implementation cycle. This might indicate that the annual budget for 2013-2014 adjusted (downwards) after the signature of the initial budget provisions that are reflected in the ProDoc. The veracity of this assumption needs to be clarified at the beginning of the in-country data collection phase. Should there indeed be differences between the initial budgeting reflected in the original design of the JP and the actual, “actionable” budgeting which is relevant for the scale and scope of the implementation of activities contributing to the JP Outputs, the implications for the actual analysis during the MTR need to be discussed. Essentially, the issue would boil down to the question whether to reference actual expenditures against the original JP budget or a revised version of the annual budget volume (in a nut-shell: “which absolute USD figure represents100%?”).

**Annex 1 – Programme Budget per Output (to be updated)**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Annual Budget (US$)** | **Annual Expenditure Budget (US$)** | **Balance (US$)** |
| Output 1 – Capacity of the Justice sector strengthened to increase to justice, including for women, children and other most vulnerable groups | 700,641 | 203,772 | 496,869 |
| Output 2 – National capacities strengthened to promote and mainstream human rights and implement Treaty body and UPR recommendation | 262,056 | 83,952 | 178,104 |
| Output 4 – Mechanisms for sustainable peace consolidation, unity and reconciliation strengthened/deepened | 631,500 | 494,955 | 136,545 |
| Output 5 – Project management and oversight strengthened | 100,000 | 19,845 | 80,155 |
| **TOTAL** | **1,694,197** | **802,523** | **891,674** |



1. *Risk or Challenge:* 2015 Independent UNDAP 2013-2018 mid-term evaluation data might not be available in time.

*Risk Management Strategy:* The IC could strive to calculate key metrics by himself or rely on readily available in-house analyses that are also supposed to feed into the UNDAP MTR. Should the UNDAP evaluation mission be already in-country, the IC will attempt to glean relevant insights from their on-going work for consideration in the context of the A2J JP MTR.

To illustrate some of the potential challenges as well as the envisioned analyses referred to on page 7 under Ch. 3/Methodology and Data Sources (following the sub-heading “Key methodological techniques and/or tools”), the following presents some tabulations the MTR tool-kit is going to attempt to work with and build upon; if possible in view of the risks and challenges referred to just above:

The table below is extracted from pg. 4 of the “Consolidated 2013-2014 A2J JP Progress Report”. It is assumed that the first column shows baseline data but for both the baseline and the final target data (2018) the data sources and MoVs are lacking. It is assumed that the programme experts will be able to quickly provide the missing information so as to render the data apt for analysis. However, should this not be the case, then retrieving related details might pose a challenge, esp. with regards to time management.

|  |
| --- |
| **UNDAP OUTCOME: Human Rights, Justice and gender equality promoted and implemented at all levels.** |
| **Indicator:** | **Baseline :**  | **Target:**  |
|   *% of public confident with the justice system (disaggregated by age and sex) at all levels* | *60% public confident with justice system(disaggregated by age and sex);* | *80% public confident with justice system(disaggregated by age and sex)* |
|   *% of Adult population with confidence in the respect for human rights( political rights and civil liberties- (2012* | *77.1% confident with respect for human rights* | *79% confident with respect for human rights* |

There is a similar example: the original results framework (cf. page 11/original ProDoc) refers to UNDAP outcome and A2J JP output targets without specifying whether this is the final target set for late 2018. It is assumed that this is the case but still this would need to be verified. Likewise, there are no yearly milestones or preliminary targets mentioned here, which begs for the question whether this is listed elsewhere or these were supposed to be flexibly set when drafting annual work plans. These issues will be further looked into in discussing with UN staff and GoR stakeholders once the IC has arrived in Rwanda.

A cursory glance at the related passage in the A2J JP Progress Report (pg. 7 etc.) seems to indicate that no detailed progress data was available at the top results level (JP output level) for the first comprehensive annual progress review, which hints at the concern about data availability and thus, related evaluability.

**7.7 ToR**

**Terms of Reference (ToR)**

**Mid -Term Evaluations of the programme: Promoting Access to Justice, Human Rights and Peace Consolidation (A2J)**

**1. Introduction**

In September 2013, the One UN in Rwanda signed a joint flagship Programme on Promoting Access to Justice, Human Rights and Peace Consolidation (A2J). The purpose of the joint programmeis tostrengthen the capacities of key national institutions to promote access to justice, human rights and peace consolidation.

The programme is aligned to the national priorities and programming cycle of the Government of Rwanda and the One UN through the Economic Development and Poverty Reduction Strategy II (EDPRS II (2013-2018)) and the UN Development Assistance Plan (UNDAP (2013-2018)).

The A2J Programme responds to the EDPRS II foundational issues which consider the rule of law, unity and reconciliation, security and stability as key drivers for economic transformation. It also responds to priorities expressed in the Justice, Reconciliation, Law and Order Sector (JRLOS) Strategic Paper 2013-2018. It focuses mainly on strengthening access to justice, rule of law, human rights, safety and peace. It specifically contributes to the achievement of UNDAP Result 2, Outcome 2 which is: “*Human rights, justice, and gender equality promoted and implemented at all levels*”.

The outcomes for the A2J programme are: citizens and especially the most vulnerable groups will have access to equitable justice and enjoy their basic human rights while contributing to building a more peaceful society that is conducive to sustainable peace and development.

The joint programme has the following UN partners: UNDP, UNICEF, UNWOMEN and OHCHR.

The Implementing Partners for the A2J programme are the Ministry of Justice (MINIUST), which implements activities related to access to justice and human rights protection; the National Commission for Human Rights (NCHR), which implements Human Rights related activities; the National Unity and Reconciliation Commission, which promotes unity and reconciliation among Rwandans and the Rwanda National Police (RNP), which implements activities related to crime prevention through implementation of community policing concepts.

The joint programme is funded through multiple sources of funds including the One UN Fund, which is a pooled fund mechanism, in addition to UNDP core resources. UNDP is the Managing Agent of the One UN Fund.

By September 2015, theA2Jprogramme will be implemented for a period of two years and in line with the programme documents, are due for mid-term evaluation. The One UN is, therefore, looking for an individual consultant to undertake the evaluation of the joint programme.

**2. Purpose of the Mid Term Evaluation**

The mid-term evaluation will cover 24 months (September 2013 to-September 2015).This mid-term programme evaluation will focus on this implementation period.

The midterm evaluation are forward looking and will capture effectively lessons learned and provide information on the nature, extent and where possible, the potential impact and sustainability of the A2J programme. The evaluation will assess the programme’ design, scope, implementation status and the capacity to achieve the expected outcomes. They will collate and analyze lessons learned, challenges faced and best practices obtained during implementation period which will inform the second phase of implementation (October 2015 - June 2018) of the joint programme.

The emphasis on lessons learned speaks to the issue of understanding what has and what has not worked as a guide for future planning. The evaluations will assess the performance of the programme against planned results. They will also assess the preliminary indications of potential impact and sustainability of results including the contribution to capacity development and achievement of sustainable development goals. The findings and recommendations of the evaluations will inform the key stakeholders of this evaluation who are the Government of Rwanda- through the Ministry of Justice (MINIJUST), the National Commission for Human Rights (NCHR), the National Unity and Reconciliation Commission and the Rwanda National Police (RNP), UNDP and other One UN agencies, especially those partaking in the A2J programme.

**3. Scope and focus of the Mid-term Evaluation**

**3.1 Scope**

The A2J mid-term programme evaluation will assess the effectiveness of the implementation strategy. This will include the implementation modalities and co-financing by One UN sister agencies, One UN Fund and the Government of Rwanda. It will also look at issues of coordination, partnership arrangements, institutional strengthening, beneficiary participation, replication and sustainability of the programme. The evaluation will include review of the project design, and assumptions made at the beginning of the programme development process. It will assess whether the programme results are on track; capacities built, and cross cutting issues of gender and human rights have been addressed. It will also assess whether the programme implementation strategy has been optimum and recommend areas for improvement and learning. The mid-term evaluation will also assess the synergy between the two programs as well as other programs implemented in the area of accountable governance and suggest ways of creating more synergy. The linkage of results to overall UNDAP results framework will be analyzed including the relevance of the indicators set.

**3.2 The Evaluation Questions**

The following key questions will guide the mid-term programme evaluation:

**i).Relevance –** (The design and focus of the programme)

* To what extent are the stated outcomes and outputs for the A2J Programme on track?
* To what extent have the A2J results so far contributed to the UNDAP and EDPRS 2 results in the area of Accountable Governance and Foundational issues related to Rule of Law?
* What factors have contributed to achieving or hindering achievement of the intended outputs and outcomes?
* Was the strategy adopted and inputs identified, realistic, appropriate and adequate for achievement of the results?
* Has the partnership strategy been appropriate and effective?
* To what extent has One UN support contributed to the achievement of the results?
* Do the programme continue to be relevant to the GoR priorities in governance?

**ii). Effectiveness –** (The management processes and their appropriateness in supporting delivery)

* Are the programme management strategies for both programme effective in delivering desired/planned results?
* Is there a suitable M&E framework to monitor and support the implementation of the targeted results?
* Are the strategies and tools used in programme implementation effective?
* Are the programme effective in responding to the needs of the beneficiaries, and what results can we show?

**iii). Efficiency** – (Of Programme Implementation)

* Are the process of achieving results efficient? Specifically did the actual or expected results (outputs and outcomes) justify the costs incurred? Were the resources effectively utilized?
* What factors are contributing to implementation efficiency?
* Do theprogramme’ activities overlap and duplicate other similar interventions (funded nationally and /or by other donors? Are there more efficient ways and means of delivering more and better results (outputs and outcomes) with the available inputs?
* Could a different approach have produced better results?
* How is the program management structure operating?
* How efficient are the management and accountability structures of the programme?
* How did the programme financial management processes and procedures affect programme implementation?
* What are the strengths, weaknesses, opportunities and threats of the programme implementation process?

**iv). Sustainability**

* To what extent are the benefits of the programme likely to be sustained after the completion of these programme?
* What is the likelihood of continuation and sustainability of the programme outcome and benefits after completion of each of the programme?
* How effective are the exit strategies, and approaches to phase out assistance provided by the programme including contributing factors and constraints?
* What are the key factors that will require attention in order to improve prospects of sustainability of the Programme outcome and the potential for replication of the approach?
* How are capacities strengthened at the individual and organizational level (including contributing factors and constraints)?
* Describe the main lessons that have emerged.
* What are the recommendations for similar support in future?

**4.Institutional arrangements**

The evaluation will be managed by the One UN (UNDP) in collaboration with a review panel made of representatives of implementing agencies. The UNDP Head of the Management Support Unit shall be the focal person for the evaluation and the interlocutor with the Governance Programmes. An individual consultant will be hired for the mid-term evaluation of the A2J program.

**5. Methodology for Evaluation:**

The midterm evaluation of the A2J Programme will be carried out in accordance with UNEG Evaluation Norms and Standards of Evaluation and Ethical Standards as well as OECD/DAC evaluation principles and guidelines and fully compliant with the DAC Evaluation Quality Standards (206). This is a mid-term evaluation involving qualitative and quantitative methods to evaluate the A2J implementation and itsperformance and to make recommendations for the remaining implementation period.

**5.1. Data Collection**

The mid-term Evaluations of the A2J Programme will be carried out through a wide participation of all relevant stakeholders including the UN, the GoR institutions, CSOs as well as development partners, and right holders. Field visits to selected project sites; and briefing and debriefing sessions with One UN and the Government officials, as well as with development partners are envisaged. Data collected should be disaggregated (by sex, age and location), where possible.

In order to use existing sources/information and avoid duplication, data will be mainly collected from various information sources through a comprehensive desk review that will include the analysis of relevant documents, information, data/statistics, triangulation of different studies etc. Data will also be collected from stakeholder key informants through interviews, discussions, consultative processes, and observations in field missions. This phase will be comprised of:

1. Review and analysis of relevant documents including the GoR programmatic documents & reports, the One UN Rwanda programmatic documents & reports, recent studies and research reports, developmental and social reports, (see list attached and relevant links)
2. Critical analysis of available data with regards to the national guiding documents as well as the intended UN inputs to the GoR. The midterm evaluation of the A2J programme will benefit from and use optimally the data collected through the Country-Led Evaluation of DaO, the UNDAP annual reports, Independent Evaluation of DaO, UNDAF End of Programme Evaluation and independent project evaluations.

**5.2. Basic Documents for Desk Review**

The mid-term Evaluation of the A2J Programme will take cognisance of One UN Annual Reports, the Country-led Evaluation, The governance outcome evaluation report, the UNDAF final evaluation Report, Independent Evaluation of DaO, and other agency evaluations/reports to determine the effectiveness of the Delivering as One modality to support achievement of national priorities. These

The Mid-term Evaluations should also take into account the lessons learned from the Country-led Evaluation and Independent Evaluation, UNDAF Evaluations in terms of:

1. Response to the national development objectives (programme relevance);
2. Creating a common, coherent and results-oriented strategy for successor programme
3. Facilitating joint programme to the extent possible (reducing overall transactions costs)

***(Other suggested reference documents are in Annex 3.)***

**Table: Timeline for Deliverables and related Activities**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Deliverable** | **Time allocated** |  |
| **Activity** |  |  |  |
|  |  |  |  |
| Evaluation design, methodology and detailed work plan |  **Inception report** | **3 days** |  |
| Inception Meeting Initial briefing |  |  |  |
|  |  |  |  |
| Documents review and stakeholder consultations |  | **20 days** |  |
|  | **Draft report** |  |  |
| Field Visits |  |  |
|  |  |  |  |
| Data analysis, debriefing and presentation of draft |  |  |  |
| Evaluation Report |  |  |  |
|  |  |  |  |
| Validation Workshop |  |  |  |
| Finalization of Evaluation report incorporating additions and comments provided by all | **Final evaluation report** | **7 days** |  |
| stakeholders and submission to UNDP/One |  |  |  |
| UN Rwanda |  |  |  |
| Total number of working days(for both programs) |  | **30 days** |  |
|  |  |  |  |

**6. Expected Deliverables:**

The following deliverables are expected. Every individual consultant will deliver separately the following:

1. **Inception report:** The evaluator will prepare an inception report which details the evaluator’s understanding of the evaluation and how the evaluation questions will be addressed. This is to ensure that the evaluator and the stakeholders the Ministry of Justice, the National Commission for Human Rights, the National Unity and Reconciliation Commission and the Rwanda National Police, the programme teams, UNDP, etc.) - have a shared understanding of the evaluation. The inception report will include the evaluation matrix summarizing the evaluation design, methodology, evaluation questions, data sources and collection analysis tool for each data source and the measure by which each question will be evaluated.
2. **Draft Mid-term Programme Evaluation repor**ts - The consultant will prepare draft Evaluation Report for A2J programme, cognisant of the proposed format of the report and checklist used for the assessment of evaluation reports (see annexes). The report will be submitted to the A2J Programme Steering Committees through the UNDP Country Director for validation. Comments from the Steering Committee and stakeholders will be provided within 10 days after receiving the Draft Report. The report will be reviewed to ensure that the evaluation meets the required quality criteria. The report will be produced in English in Kigali, Rwanda.
3. **Final A2J Mid-term Programme Evaluation Reports.** The final report (30-50 pages) fortheprogramme will include comments from the Steering Committees, UNDP, the evaluation review panel and stakeholders will be submitted 10 days after receiving all comments. This will be submitted to the A2J Programme Steering Committee through the UNDP Country Director for validation. It will include recommendations, policy options and conclusions. (**Recommended structure of the report is in the Annexes)**

**7. Duty Station**

The duty station of the work is Kigali, Rwanda. However, the consultant may be required to travel to project sites outside Kigali.

**8. Scope of Price Proposal and Schedule of Payments**

The individual consultant shall be paid the consultancy fee upon completion of the following milestones.

* 30% after adoption of the inception reports
* 30% after presentation of the draft reports
* 40% after the approval of the final reports

The consultancy fee instalments will be paid as Lump Sum Amounts inclusive of expenses related to the consultancy). The contract price will be fixed regardless of changes in the cost components.

**9. Required expertise and qualification**

An individual consultant with the following expertise and qualification:

* At least master’s degree in Law, Public Policy and Management, Public Administration, Development studies, International Development, or any other relevant university degree;
* Extensive expertise, knowledge, and experience in the field of Governance , inclusive participation, , access to justice, human rights promotion, conflict prevention and peace building and support to democratic governance initiatives with focus on citizen participation and empowerment, media development and elections;
* At least 10 years of experience in working with international organizations and donors;
* Extensive experience of programme formulation, monitoring and evaluation;
* Experience in evaluating similar programmes
* Excellent written and verbal communication skills in English. Fluency in spoken French will be and added advantage.

**10. Management Arrangements for the Evaluation**

* UNDP will contract an individual consultants (one individual consultant per program) on behalf of the Government of Rwanda and the UN Agencies. UNDP as the focal point for the evaluation will facilitate the logistical requirements for consultant including setting up interviews, field visits, and payments for the consultant.
* The A2J mid-term Programme Evaluation process will be led by the Steering Committee of the joint Programme and shall provide overall guidance and direction for the review process.
* A Technical Committee, led by the A2J Programme Manager comprised of theProgramme’s implementing partners’ representatives, will contribute to this assignment and support the process at technical level and provide regular reports to the A2J Steering Committee. The Chief of the Management Support Unit will provide technical oversight, quality assurance and guidance to the evaluation to ensure that it meets the UNEG evaluation quality criteria.

**11. Time-Frame for the Evaluation Process**

* The evaluation will be conducted in October 2015 for an estimated 30 working days. Upon signing of the contract, the consultant will be given the necessary working documents for reference. The consultants will be provided with information.

**Interested candidates should apply by presenting the following documents:**

A. **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;

B. **Personal CV or P11**, indicating all past experience from similar evaluations, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;

C. **Brief description** of why the individual considers him/herself as the most suitable for the assignment, and a methodology, if applicable, on how they will approach and complete the assignment.

D. **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided.

**12. Selection Criteria**

***Submissions will be evaluated in consideration of the Evaluation Criteria as stated below:***

The offer will be evaluated by using the Best value for money approach (combined scoring method). Technical proposal will be evaluated on 70%. Whereas the financial one will be evaluated on 30%. A two-stage procedure is utilized in evaluating the proposals, with the technical evaluation being completed prior to any financial proposal being opened and compared. Only proposals that achieve above the minimum of 49 points (i.e. at least 70% of the total 70 points) on the technical proposal shall have their financial proposals reviewed.

Evaluation of Financial proposal (30 points)

If the technical proposal achieves the minimum of 49 points, the competitiveness of the financial proposal will be taken into account in the following manner:

The total amount of points for the fees component is 30. The maximum number of points shall be allotted to the lowest fees proposed that is compared among the applicants which obtain the threshold points in the evaluation of the substantive presentation. All other fees proposals shall receive points in inverse proportion to the lowest fees; e.g.

[30 Points] x [US$ lowest]/ [US$ other] = points for other proposer’s fees.

Below is the breakdown of technical proposal on 100% which will be brought to 70%:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| ***Criteria*** |  |  |  | Max. Points |
| ***Technical*** |  |  |  |  |
|  |  |  |  |
| At least master’s degree in Law, Public Policy and Management, Public Administration, Law, Conflict Prevention, Development studies, InternationalDevelopment or any other relevant university degree | *10%* | *10* |
| Extensive expertise, knowledge, and experience in the field of Governance, | *20 %* | *20* |
| inclusive participation, support to democratic governance initiatives with |  |  |
| focus on citizen participation and empowerment, media development and elections; rule of law, access to justice, human rights and conflict prevention |  |  |
|  |  |  |
| Overall Methodology | *40%* | *40* |
|  |  |  |
| Experience of programme formulation, monitoring and evaluation; experience in evaluating similar programmes | *20%* | *20* |
|  |  |  |
| At least 10 years of experience in working with international organizations | *5%* | *5* |
| and donors; and demonstrable experience working for the United Nations System |  |  |
|  |  |  |
|  |  |  |
| Fluency in English and a working knowledge of one of the other language | *5%* | *5* |
|  |  |  |
|  |  |  |
| ***TOTAL*** | ***100%*** | ***100*** |
|  |  |  |

**13. Annex 1; Recommended List of Documents**

* Republic of Rwanda, Rwanda Vision 2020
* Republic of Rwanda, Economic Development & Poverty Reduction Strategy (2013 – 2018), September 2013
* Republic of Rwanda, Annual Progress Reports on the implementation of the Economic Development and Poverty Reduction Strategy (EDPRS) – 2008
* Republic of Rwanda, Education Sector Strategic Plan (2006-2010), Ministry of Education, 2006
* United Nations Rwanda, One UN ‘Delivering As One’ in Rwanda Concept Paper, April 2007
* United Nations Rwanda, UNDAP 2013-2018
* United Nations Rwanda, One UN Programme Rwanda, Common Operational Document (2008-2012)
* United Nations Rwanda, Communication Strategy
* United Nations Evaluation Group (UNEG), Evaluability Assessment of Delivering as One Pilots, Assessment Report on Rwanda, March 2008
* United Nations Rwanda, Annual Reports 2013 &14
* United Nations Rwanda, Stocktaking report 2008 & 2009 for Delivering as One in Rwanda
* Project document: A2J
* Annual progress reports 2013-2014 and 2014-2015
* End of the Programme Evaluation of the Support to Access to justice for all, the Foundation for Good Governance and Poverty Reduction, Rwanda (2008-2013).
* Governance outcome Evaluation
* JRLOS strategic Plan 2013-2018
* Joint Sector Review Report for the Justice Sector (2013-2014, 2014-2015)
* Documentation of 20 years of Reconciliation (NURC)
* 2015 UPR report for Rwanda (CSO, NCHR, UN Compilation, GoR)
* Relevant web links

**Studies, Surveys and Evaluations**

* THE RWANDA Demographic and Health Survey Reports (2010 RDHS)
* Integrated Household Living Condition Survey (2007-2008)
* United Nations & Republic of Rwanda, Country-led Evaluation of the Delivering As One, 2010
* The Independent evaluation of the DaO in Rwanda
* Sectoral studies and evaluations
* Rwanda Governance Score Card (RGS 2012, 2014)

**Annex 2; Structure for Mid-Term Programme Evaluation Report for A2J**

**Title page**

Name of programme or theme being evaluated

Country of project/programme or theme

Name of the organization to which the report is submitted

Names and affiliations of the evaluators

Date

**List of acronyms**

**Executive summary**

A self-contained paper of 1-3 pages.

Summarize essential information on the subject being evaluated, the purpose and objectives of the A2J Programme Evaluation, methods applied and major limitations, the most important findings, conclusions and recommendations in priority order.

(**Main Report; Maximum 35 pages)**

**Introduction**

(Context and national priorities, goals, and methodology, brief description of the results)

Describe the project/programme/theme being evaluated. This includes the problems that the interventions are addressing; the aims, strategies, the outcomes, the outputs, the scope and cost of the intervention; its key stakeholders and their roles in implementing the intervention.

Summarize the A2J Programme purpose, objectives, and key questions. Explain the rationale for selection/non selection of evaluation criteria.

Describe the methodology employed to conduct the A2J Programme Mid-Term Evaluation and its limitations if any.

Detail who was involved in conducting the A2J mid-term Programme Evaluation and what were their roles.

Describe the structure of the A2J mid-term Programme Evaluation reports.

A Reflection on the main findings which considers: (a) the results of the desk review of existing

 documentation available, and (b) the interviews conducted with all the stakeholder categories

1. Results by UNDAP Outcome: national progress, (specific contribution of UN agencies and resources mobilized etc.

**Partnership and collaboration** strategy among UNDP/GoR/IPs, Donors; and evaluation of the efficiency and effectiveness of the A2J programme as a partnership framework

**Major Challenges**

**A2J Financial Management**

**Assessment of M&E process**

**Findings and conclusions**

State findings based on the evidence derived from the information collected. Assess the degree to which the intervention design is applying results based management principles, gender mainstreaming and human rights based approach. In providing a critical assessment of performance, analyse the linkages between inputs, activities, outputs, outcomes and if possible impact. To the extent possible measure achievement of results in quantitative and qualitative terms. Analyse factors that affected performance as well as unintended effects, both positive and negative. Discuss the relative contributions of stakeholders to the achievement of results. Assess how/if the intervention has contributed to gender equality and fulfilment of human rights.

Conclusions should be substantiated by the findings and be consistent with the data collected. They must relate to the A2J objectives and provide answers to the evaluation questions. They should also include a discussion of the reasons for successes and failures, especially the constraints and enabling factors.

**Recommendations and lessons learned:**

Based on the findings and drawing from the evaluator(s)’ overall experience in other contexts if possible provide lessons learned that may be applicable in other situations as well. Include both positive and negative lessons.

Formulate relevant, specific and realistic recommendations that are based on the evidence gathered, conclusions made and lessons learned. Discuss their anticipated implications. Consult key stakeholders when developing the recommendations.

List proposals for action to be taken (short and long-term) by the person(s), unit or organization responsible for follow-up in priority order.

**Annexes may include the following (maximum 10-15 pages)**

Attach ToR (A2J mid-term Programme Evaluation).

List persons interviewed, sites visited.

List documents reviewed (reports, publications).

Data collection instruments (e.g. copies of questionnaires, Survey, etc.).

O Assessment of the progress by outcomes in relevance to the nationally defined goals. O Photos

O Stories worth telling (Most Significant changes [MSC])

***\*The Access to Justice, Human Rights and Peace Consolidation Programme Evaluation Report should be developed in accordance with the UNEG “Standards for Evaluation in the UN system”, “Norms for Evaluation in UN System and “Ethical Guidelines for Evaluation.” Analysis should include an appropriate discussion of the relative contributions of stakeholders to results. It will consider the evaluation objectives as per relevance, effectiveness, efficiency, impact and sustainability of results, as well as the key issues of design, focus and comparative advantage.***

**Annex 3: Sample Evaluation Matrix**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | **Relevant** |  | **Key** |  | **Specific** |  | **Data** |  | **Data collection** |  | **Indicators/** |  | **Methods for** |  |  |  |
|  | **evaluation** |  | **Questions** |  | **Sub-** |  | **Sources** |  | **Methods** | **/** |  | **Success** |  | **Data Analysis** |  |  |  |
|  | **criteria** |  |  |  | **Questions** |  |  |  | **Tools** |  |  | **Standard** |  |  |  |  |  |
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**7.8 Evaluator’s Biodata**

Dr. Craig Naumann is a German-American social scientist and applied researcher with more than 20 years of professional experience. Other than working for the United Nations (UNDG, UNDP, UN Women, WFP, UNICEF, UNV) he has carried out missions for USAID and the EU. His areas of specialization are evaluation research, DaO, socio-economic analysis, strategic planning, RBM/M&E and programme/project design and management. His areas of thematic specialization are governance, education, renewable energy with focus on biogas, gender, and capacity building. He has worked and lived in numerous African and Asian countries.