

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

In-country Mission: 9.-25.11.2015 (Kigali, Rwanda)

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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 discusses the 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. This report 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 the 1st 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 UNDP'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.

