UNDP Management Response

Mid-Term Evaluation: Support to Security and Justice Sector Governance in Post- Conflict Iraq

January 2022

|  |  |
| --- | --- |
| Prepared by  | Beamie Moses Seiwoh, Programme Management Specialist, Security Sector Reform/Rule of Law (SSR/RoL) ProgrammeUnit/Bureau: UNDP Iraq |
| Reviewed by | Chamila Hemmathagama, Programme Manager, SSR/RoL ProgrammeUnit/Bureau: UNDP Iraq / PMSU |
| Cleared by  | Zena Ali Ahmed, Resident RepresentativeUnit/Bureau: UNDP Iraq |
| Input into and update in ERC | Farooq Al Wakeel, Programme Management Specialist, Programme Management Support Unit Unit/Bureau: UNDP Iraq |

|  |
| --- |
| **Evaluation recommendation 1: Continuation of donor support:** The donors should remain flexible and continue providing donor support to Iraq (e.g., peer-to-peer support, capacity building, support to civil society and population, etc). Continued support is relevant for building upon the achievements, further development of reached advantages, and maintaining the momentum and presence of a conducive environment. The project should put more emphasis on the judiciary and equally support security and justice pillars. In view of the human rights violations, the project should consider including other key players in the judiciary that are relevant for addressing human rights such as the Iraqi Bar Association, etc. |
| **Management response:** The recommendation is well received. It should be noted that UNDP SSR/RoL Project has already taken initiatives to place further emphasis on support to the justice sector in Iraq. A key milestone in this regard involves securing a new donor and a grant from the US/ Bureau of International Narcotics and Law Enforcement Affairs (INL) in 2020 to support the Supreme Judicial Council and relevant justice sector entities to improve complex financial case investigations and adjudications through the project *‘strengthening justice sector capacities to uphold the rule of law in Iraq’* to a total of USD 2 million. Building on key outcomes of the inception phase of its implementation the project was further expanded to include the justice sectors of Federal and Kurdistan Region of Iraq (KRI) while also mobilising an additional USD 5.4 million from the donor. Thus, securing a total of USD 7.4 million for targeted support to the justice sector in Iraq up to 2024. It also presents the project with a strong foundation to continue efforts on further resource mobilisation to support the justice sector in Iraq, building on from activities under this work strand. Therefore, action corresponding to this recommendation is already in progress and no further/ additional action is required. (Corresponding Output of the Project Document: Output 2) |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
| Not Applicable. | NA | NA | NA | NA |

|  |
| --- |
| **Evaluation recommendation 2: Identification of opportunities for enhanced coherence with other partners:** UNDP and International Partners (IPs) should jointly identify areas for deeper cooperation and delivery of joint activities and outputs by pooling joint resources (e.g., joint training courses, joint activities) to ensure better synergies and complementarity. UNDP should take the initiative and approach relevant IPs to define potential areas where additional synergies could be reached, as well as jointly define steps for increased cooperation and pooling joint resources. In this regard, proactive engagement by IPs in terms of timely collaboration, cooperation and information sharing is also equally important. |
| **Management response:** The recommendation is well received. To further strengthen UNDP efforts to improve SSR partner coordination and identify opportunities for enhanced coherence with other like-minded partners, the SSR/RoL Programme has already undertaken a new initiative to establish a security sector partnership funding facility to ‘promote peaceful and inclusive societies for sustainable developed (SDG16)’ in collaboration with, and generous funding from the Government of Denmark. The objective of the SSR Partnership is to accelerate and scale up security sector reform in Iraq in line with the United Nations Sustainable Development Goal (SDG) #16: “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”. It will aim to bring together a range of partners from the GoI, donors, civil society organisations and the private sector to combine efforts and expertise to undertake joint initiatives to provide innovative and practical solutions to advance Iraq’s security and justice sector reform priorities. Through a consultative process with the afore mentioned partners the SSR partnership facility will be established in 2022 including undertaking joint research, analysis, and strategy for joint evidence – base and understanding of SSR priorities relevant to the Iraqi context, and from 2023 -2025 the facility will support joint undertaking between and amongst the SSR partners to foster security and justice reform priorities in Iraq. UNDP will also act as the coordinating secretariat of the funding facilitate in close collaboration with GoI, donors and like-minded partners. Therefore, action corresponding to this recommendation is already in progress, and no further / additional action is required (Corresponding Output of the ‘project document’: Output 1). |
| **Key action (s)** | **Completion date** | **Responsible unit(s)** | **Tracking** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
|  2.1: Establish the proposed Iraq security sector reform partnership (ISSRP) Facility, of which the aim to develop a robust partnership mechanism to improve coordination with GoI, donors, national CSOs and the private sector to combine efforts and expertise to undertake joint initiatives to provide innovative and practical solutions to advance Iraq’s SJSR priorities.  | 31 December 2022 | UNDP SSR/RoL Programme, GoI and Denmark (donor) | N/A at this stage |  Preparatory work has just started: i.e. preliminary discussions between UNDP and Denmark to finalise the concept and an action plan to undertaken consultations with a range of relevant interlocutors/ partners. |
| 2.2: Conduct joint research, analysis, and strategy for joint evidence – base and better understanding of Iraq’s security and justice sector priorities.  | 31 December 2023 | UNDP SSR/ RoL Programme as the secretariat of the ISSRP; ISSRP board consisting of GoI, Denmark, NMI, EUAM and UNDP; and corresponding partners of the ISSRP | N/A at this stage | Approximate start date of this action is January 2023, |

|  |
| --- |
| **Evaluation recommendation 3:**  UNDP should ensure that its internal administrative proceedings related to procurement and recruitment of human resources do not hamper project delivery. UNDP should thus thoroughly identify concrete provisions and/or malpractices that caused delays and adopt appropriate measures to prevent further delays. If necessary, internal rules should be revised or eased. Likewise, the GoI should ease internal administrative proceedings hindering more efficient project implementation and provide eased access to GoI institutions. If necessary, UNDP leadership should address this issue with the GoI at the highest level.  |
| **Management response**: The Country Office (CO) has noted the observation made in the Evaluation Report related to internal administrative proceedings for procurement and human resources management which reportedly caused delays in provision of various services to the Project. The CO has also noted that such observation is made based upon the impressions drawn from the interviews with project personnel only and not based upon any analysis of a sample of reported cases. UNDP Policies and Procedures for Programme and Operations are of highest international standards which ensures integrity, transparency and fairness of the processes. Nevertheless, the CO will ensure that coordination measures are undertaken to improve efficiency of services. UNDP also acknowledges the observation related GoI institutional administrative delays. The following actions are proposed to address the concerns. |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
| 3.1: Institute a quarterly review mechanism in 2022 between the Project and Country Office (CO) Operations for periodic review of effectiveness and efficiency of provision of various operations services, e.g., procurement and human resources management, to the project to avoid perceived delays. | December 2022 | SSR/RoL Programme andCO Operations | 4 quarterly review meetings conducted in 2022 and documented | Initiated |
| 3.2: Liaise with Government partner institutions’ leaderships and authorities where possible to identify ways to avoid recurring delays on GoI institutional internal administrative processes. | It will be an on-going process on a case -by -case basis as such delays/ issues occur therefore it is not practical to give a completion date. | SSR/RoL Programme |  | This is an on-going task / efforts by the project on a case-by-case basis as and when such delays and issues occur. Therefore, not a new action. However, it should be noted that some delays are beyond UNDP control to address as they are a result of GoI official standard processes set at ministerial levels. |

|  |
| --- |
| **Evaluation recommendation 4: Prioritisation of the project outputs and activities:** UNDP, donors and the GoI should reconsider past support and prioritise activities that (still) remain relevant for Iraq. Project activities and outputs with limited progress and/or without elements of sustainability should be identified and replaced (e.g., Public Perception Survey on Security and Justice Service Delivery seems to provide limited added value and could also be conducted by GoI institutions). The changed operational context requires a stronger response and emphasis on human rights, prevention of torture, misuse of police powers, anti-corruption (together with the UNDP anti-corruption project).  |
| **Management response:**  The recommendation is well received. However, strongly disagree with the afore mentioned point that the ‘*public perception survey on security and justice sector delivery seems to provide limited added value and be conducted by GoI institutions*. The key objectives of the two tracker surveys conducted by the Project were to: 1) set ‘project’s’ outcome level baseline and to measure outcome level indicators on an annual basis; 2) to develop a real time evidence- based knowledge hub during the overall ‘project’ period; and 3) to assess improvements and gaps with comparative data analysis from 2019 to end of project cycle, in order to take necessary action to further strengthen interventions and also to address gaps/ make improvements to those that need additional support. As such these annual surveys to-date has helped the Project significantly to implement, develop, strengthen, and to address gaps in its overall engagement with real time data and feedback from the key target beneficiaries -i.e., Iraqi public/ women and men. Therefore, these undertakings had allowed the Project invaluable entry points to develop and sustain a ‘security and justice real time knowledge hub’, while also providing an insightful evidence- based rational/ logic to develop new undertakings/ concept notes since 2019 to- date. For example, amongst others these include the model police station pilot initiative, design of specialised police trainings, development of the local police service road map and the corresponding SoP for criminal investigations and the recent undertaking to strengthen financial crimes investigations and adjudications. Similarly, the routine publication of the key findings of these surveys by UNDP for wider dissemination amongst like-minded – partners in Iraq and beyond also helps to address an existing gap in ‘real time’ data on public perceptions on safety and security and security and justice service delivery in Iraq.In terms of dedicated interventions on human rights, prevention of torture and misuse of police powers there are a range of human rights organisations such as the human rights watch as well as the UN office of human rights that undertake numerous activities with relevant GoI entities and civil society at federal and KRI levels in Iraq. Therefore, as a prudent and de- conflicting approach to international partner engagement in the afore mentioned areas of work, the Project will continue to collaborate with these entities to foster human rights and related issues while also incorporating tailored sessions in police trainings to advocate for the promotion of democratic policing that also centres around principles of international human rights and norms. Also in view of the rather crowded field of human rights in Iraq that already has multiple international partners actively engaged in Iraq, it is not a prudent approach for the Project to replicate and overlap these interventions, instead utilise project resources prudently by integrating human rights approaches to all its key activities to strengthen local policing, gender responsive policing, and to improve justice sector case investigations and adjudications, while also working in close partnership with afore mentioned partners whose core business is to promote and protect human rights in Iraq. Thus, wisely and better pool expertise, build synergies and strengthen collaborations to foster and protect human rights.Similarly, UNDP Iraq CO already has a comprehensive programme on anti- corruption therefore it is not prudent for this Project to duplicate these on-going efforts by also attempting to engage in anti- corruption sphere. Instead, this Project works in close collaboration with the UNDP Anti – Corruption Programme to maximise efforts in the areas where there are synergies specifically about financial crimes investigations and adjudication work at federal and KRI levels by this Project.In light of the above clarifications, appropriate and necessary action corresponding to this recommendation is already in progress, and no further action is required under this recommendation. |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
| Not Applicable.  | NA | NA | NA | NA |

|  |
| --- |
| **Evaluation recommendation 5: Development of an exit strategy:**  UNDP should start developing an exit strategy together with the GOI and donors to identify areas where further support is less needed or areas where there is no sustainability and/or less progress. The elaboration of an exit strategy outline with an indicative agenda should start before the next project extension, which will also enable better definition of mid-and-long term priorities for the third phase.  |
| **Management response:**  The recommendation is well received. The SSR /RoL Programme is being extended until 2025 , therefore intends to start working on the exit strategy from 2023. Additionally, ongoing efforts by the UNDP Funding Facility for Stabilisation (FFS) to develop its exit strategy is also expected to provide a useful and timely opportunity for the SSR/RoL ‘ project team’ to learn from in this regard. |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
| 5.1: Draft Terns of Reference to project exit strategy  |  December 2023 | SSR/RoL Programme  |  | This action has not started |
| 5.2: Undertake a series of consultations with all ‘project’ partners to inform the design of the exist strategy. (Inception phase)  | 30 June 2024 | SSR/RoL Programme |  | This action has not started |
| 5.3:Develop and finalise exist strategy including through consultation with the project board (inception phase) | 31 December 2024 | SSR/RoL Programme |  | This action has not started |
| 5.4 Initiate exist strategy implementation. (implementation phase) | 31 August 2024  | SSR/RoL Programme |  | This action has not started |

|  |
| --- |
| **Evaluation recommendation 6: Further replication of the project results that have elements of sustainability:**  UNDP and donors should strive to replicate those project results that proved to be successful and provide long-term sustainable results. Two of them that should be replicated and further developed are the Model Police Stations Model and the E-learning platform. In view of the strengthening support to justice, the project (and donors) may reconsider introduction of a Model Courts Pilot.[[1]](#footnote-2) |
| **Management response:**  The recommendation is well received. Work is already in progress to expand/ scale up the E- Learning platform and to include all training courses designed and developed jointly by UNDP and MoI Training and Qualifications Directorate (TQD) going forward. Additionally, UNDP is also supporting MoI TQD to develop and implement an awareness raising plan to encourage all local police officers (women and men) to utilise the E-Learning platform to improve their knowledge and skills at their own pace and time. This work is already embedded into the ‘project’ activities from 2022 -2025. Similarly, building on from the key outcomes and learnings of the six model police station pilots that will be implemented in 2022, the ‘project’ intends to gradually scale up/ replicate the model in Iraq. However, since the implementation of this pilot is at its inception phase, in 2022 it is best that the ‘project’ prioritises to regularly assess and document key findings from the six stations in Anabr, Ninewa, Baghdad and Basra including through the planned quarterly mini- surveys. As such the ‘project’ will be better placed and better informed to initiate the development of a replicable model with a wider geographic coverage from 2023 on wards.Additionally, a key lesson learned during the project implementation from 2019 to- date is that rollout of pilots, are done best when enough time is invested to implement them, assess pilot outcomes, and then design a replicable model informed by these learnings. Similarly, learnings from project’s resource mobilisation efforts to date also highlight that often there is better donor support/ interest for replicable models/ scaling up pilots when they are supported by demonstratable results on the ground. Therefore, the ‘project’ team strongly believes such a ‘tried and tested’ approach is best adapted to replicate the model police station pilot initiative.Based on Project team’s regular consultations with Iraqi counterparts and donors, it is understood that there is no appetite for ‘model courts’ in the current operational context Iraq. Therefore, the Project will revisit the suggestion at such time when the context allows.In light of the above clarifications, where appropriate and necessary planning and action corresponding to this recommendation is already in progress, and no further action is required under this recommendation. |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
| NA | NA | NA | NA | NA |

|  |
| --- |
| **Evaluation recommendation 7:** **Enlarge Quick Impact Project (QIP) and Community Security Integration Pilot (CSIP) support:**  QIP and CSIP outreach should be expanded to other areas in need. Whilst QIPs should strive to institutionalise the cooperation between local communities and security forces, CSIP should explore additional possibilities to enhance the involvement of the private sector in order to increase employment possibilities for former volunteer fighters, their access to the job market, and the further development of their skills. |
| **Management response:**  The recommendation is well received. Private sector is vital for sustainable livelihoods and inclusive economic growth. Going forward UNDP will incorporate mapping of private sector partnership opportunities in the upcoming CSIP market research in the new target locations in Sinjar to explore possible support/ collaborations with the private sector particularly in the reintegration of disengaged former volunteer fighters (men and women) to the economic workforce.  |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
| 7.1: Incorporate mapping of the private sector partnership opportunities in the planned CSIP Market Research in Sinjar. | 31 March 2022 | SSR/RoL Programme |  | This work is on going. |

|  |
| --- |
| **Evaluation recommendation 8: Inclusion of gender expertise in all project components:**  Gender issues should be more consistently addressed across every single intervention designed under the project, including in interventions’ design phases of each individual project/action under the overall project.  |
| **Management response:**  The recommendation is well received.Work is already in progress in this regard including the incorporation of the gender specific indicators in the project’s 2022- 2025 results framework. Similarly, the model police station pilot initiative (Output 2) and CSIP interventions (Output 3) are specifically tailored and designed to better foster gender integration and inclusion in the Project. Amongst others these included for example the establishment of the first co- gender police stations under the model police station pilot initiative, and GEN 2 level range of activities under CSIP interventions including one stop support centres and safe spaces for female disengaged former volunteer fighters (FVF) and female family members of FVF in Sinjar.( women and girls) . Please also see the key actions below.UNDP is also pioneering a gender study/ audit of the MoI and supporting the NATO Mission in Iraq (NMI) to conduct a similar study in MoD. As such the Project is pioneering an initiative in the Iraqi security sector to assess gender issues, and to undertake evidence-based recommendations to improve gender parity and inclusion in GoI security sector key ministries and agencies. Additionally, UNDP is also co- facilitating the only SSR gender forum amongst international partners to promote the implementation of the UN Resolution 1325 and the corresponding Second National Action Plan of Iraq in partnership with NMI (under Output 1). |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
| Establish the first co-gender police stations under the model police station pilot initiative and GEN 2 level range of activities under CSIP interventions including One Stop Support Centres and Safe Spaces for female disengaged former volunteer fighters (FVF) and female family members (women and girls) of FVF in Sinjar. | 31 December 2022 | SSR/RoL Programme | N/A | This work is on going. |

|  |
| --- |
| **Evaluation recommendation 9: Further support linked to the Gender Study findings:**  Follow-up support on gender issues should be linked to the Gender Study findings and recommendations on how to further and better address gender issues in the gender-sensitive law enforcement environment. The project should continue to seek partnerships and ensure further complementarity, coherence, and synergies with other like-minded partners (e.g., UNWOMEN, EUAM, UNAMI, etc.). |
| **Management response:**  The Project takes note of this recommendation and acknowledges the importance of developing follow–up actions to operationalise the findings and recommendations of its planned Gender Study in collaboration with the MoI and MoD and to upscale the effort across the entire security sector. UNDP will engage with all security institutions in Iraq through the SSR High Committee to cascade the gender study across other security institutions and with all international partners (UN and others) to engage their support to the MoI, MoD, and other security institutions to operationalise the findings of the Gender Study. UNIDO will closely coordinate with the Women’s Empowerment Directorate (Secretariat of the Council of Ministers–COMSEC) to promote national ownership of all gender efforts across the security sector in Iraq. The project is already co–chairing the Unified Action Partners Coordination Group for 1325 in Iraq. This platform will be used to further coordination and partnerships among international partners to support interventions strengthening a gender–responsive and gender–sensitive SSR process in Iraq..Subject to the key findings and recommendations from the Gender Study that is expected to be finalised by approximately 31 April 2022, the ‘project’ will revisit this recommendation to consider possible action where appropriate.  |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
| 9.1: Develop, publish and disseminate a policy brief on key findings and recommendations from the planned Gender Study on Iraqi Security Sector.  | 31 July 2022 | SSR/RoL Programme  | N/A at this stage | This action has not started. |

|  |
| --- |
| **Evaluation recommendation 10: Introduction of the UN Human Rights Due Diligence Policy:**  UNDP should introduce and implement the UN Human Rights Due Diligence Policy, which will also enable better addressing human rights. In addition to this, the project should conduct an assessment on cross-cutting themes and how the project can adopt a gender, human rights, and anti-corruption lens. In line with this, the project should revise the project design, improve reporting on human rights and coherence as well as increase cooperation with other IPs and CSOs.  |
| **Management response:**  The recommendation is well received.The UNCT in Iraq established the HRDDP working group in October 2021, and in complementarity with the HRDDP working group, going forward the ‘project’ will comply with the minimum compliance requirements of the UN up-front approach instituted by the UN Secretary-General and corresponding actions recommended by the HRDDP Guidance Note.[[2]](#footnote-3).  |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status***(initiated, completed or no due date)* |
| 10.1: The Project will adapt the HRDDP guidance note and incorporates the HRDDP guidance note as an additional annex to the Project Document. | 31 June 2022 | SSR/RoL Programme | N/A at this stage  | This action has not started. |
| **Evaluation recommendation 11:** Increase project’s capacities and enhance project’s delivery on human rights:  The project should better respond to human rights issues, both in the project’s design and delivery. UNDP should further explore how human rights could be jointly addressed with other partners (e.g., OHCHR, EUAM), the judiciary (e.g., Bar Association, Judicial Training Institutions) and non-governmental organisations. More specifically, some of the areas that could be supported and strengthened seem to be the internal control and oversight mechanisms, cooperation between police and prosecution on detection and prosecution of criminal offences related to violation of human rights (e.g. elaboration of Memorandums of Understanding, SOPs, capacity building), elaboration of internal oversight procedures, etc. However, a more thorough definition of support in terms of human rights should be further explored by a gap and needs analysis that could serve as a basis for the development of a specific strand of work and elaboration of specific project activities, indicators, and outputs regarding human rights. In line with this, the project should include activities and achievements on human rights issues in the project progress report. If necessary, the project should increase internal capacities to better address human rights.  |
| **Management response:**  The recommendation is well received.Clarifications under recommendation 4 relevant to human rights aspects therein already address this recommendation. Therefore, no further action is proposed under this recommendation. |

|  |  |  |  |
| --- | --- | --- | --- |
| **Key action(s)** | **Completion date** | **Responsible unit(s)** | **Tracking\*** |
| **Comments** | **Status** *(initiated, completed or no due date)* |
| NA | NA | NA | NA | NA |

\* Status of implementation is tracked electronically in the ERC database.

1. For example, the EU-funded Project Pravo-Justice pilots 6 Model Courts in Ukraine <https://www.pravojustice.eu/post/implementation-model-court-solutions-mid-term-expert-mission>. [↑](#footnote-ref-2)
2. <https://unsdg.un.org/resources/guidance-note-human-rights-due-diligence-policy-un-support-non-united-nations-security> [↑](#footnote-ref-3)